

A pre-released portion of the FBI file on the Attica prison uprising

Obtained (via FOIA) and posted by AltGov2

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U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

June 22, 2018

MR. RUSS KICK
POST OFFICE BOX 36914
TUCSON, AZ 85740

FOIPA Request No.: 1401693-000
Subject: Attica Prison Riot
(September 1971)

Dear Mr. Kick:

Records responsive to your request were previously processed under the provisions of the Freedom of Information Act (FOIA). Below you will find informational paragraphs relevant to your request. Please read each item carefully.



A search of the Central Records System maintained at FBI Headquarters indicated that records responsive to your request have been sent to the National Archives and Records Administration (NARA). Since these records were previously processed under the provisions of the Freedom of Information Act, we are providing you a copy of the previously processed documents.

Please be advised if this release of previously processed material does not satisfy your information needs for this request, you may make a request to NARA at the following address, using file number 44-HQ-50605 as a reference:

National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Enclosed are 1,322 pages of previously processed documents and a copy of the Explanation of Exemptions. This release is being provided to you at no charge.

Please be advised that additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your information needs for this request, you may request an additional search for records. Submit your request by mail or fax to – Work Process Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hardy", followed by a stylized flourish.

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Information Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 9 1971

TELETYPE

REC-45

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR003 BU PLAIN

3:40 PM URGENT 9-9-71 AMS

TO DIRECTOR (ATTN.: DOMESTIC INTELLIGENCE DIVISION)
FROM BUFFALO (157-NEW) 2P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK, EXTREMIST MATTER.

RELIABLE NEW YORK STATE POLICE AND ATTICA STATE PRISON

OFFICIALS ADVISED TODAY AS FOLLOWS:

ON EVENING OF SEPT. EIGHT, ONE BLACK AND ONE WHITE
INMATE AT CAPTIONED FACILITY IS A MAXIMUM SECURITY PRISON

BECAME INVOLVED IN FIGHT. CAUSE OF FIGHT UNKNOWN AT PRESENT

TIME. PRISON GUARD JUMPED WHEN HE ATTEMPTED TO STOP FIGHT, AND

GUARD AND BOTH INMATES GIVEN MEDICAL TREATMENT AND RELEASED.

BLACK INMATE INVOLVED, [REDACTED] PLACED IN SOLITARY
CONFINEMENT.

DURING NIGHT, RUMORS SPREAD THROUGHOUT PRISON THAT [REDACTED]
HAD BEEN ASSAULTED BY GUARDS. AT APPROXIMATELY NINE THIRTY AM,
TODAY, PRISONERS BEGAN RIOTING AND AS OF TWO PM TODAY, PRISONERS
NUMBERING APPROXIMATELY EIGHT HUNDRED IN CONTROL OF CELL BLOCKS
B AND D, IN PRISON. CELL BLOCKS A, C AND E HAVE BEEN SECURED

END PAGE ONE

58 SEP 22 1971

Included in summary to White House
and Attorney General. Date 9/10/71

AGENCY: CRD, ISD, ITU, RAS, CD, CB

HOW FORW: [REDACTED]

DATE FORW: SEP 14 1971

BY: [REDACTED]

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 9 1971

TELETYPE

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Gale _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR 010 BU CODE

929PM URGENT 9-9-71 PXM

TO DIRECTOR (ATTENTION: DOMESTIC INTELLIGENCE DIVISION)
FROM BUFFALO (157-NEW) 4P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA, NY,
SEPTEMBER NINE, SEVENTYONE, EXTREMIST MATTER.

RELIABLE NYS AUTHORITIES HAVE ADVISED AS FOLLOWS:

AS OF FIVE P.M. TODAY, INMATES STILL HELD APPROXIMATELY THIRTY
TWO GUARDS HOSTAGE. NINE GUARDS HAVE BEEN INJURED, ONE OF WHOM
IS IN SERIOUS CONDITION. INMATES ARE IN POSSESSION OF TEAR GAS
GUNS AND CANNISTERS AS WELL AS OTHER CONTRABAND WEAPONS SUCH AS
TOOLS AND HAVE THREATENED TO KILL ONE GUARD FOR EVERY SHOT FIRED
AT PRISONERS. A PRELIMINARY ESTIMATE OF TWO MILLION DOLLARS
IN PROPERTY DAMAGE RESULTING FROM BURNING OF PRISON SCHOOL,
CHAPEL, CARPENTER SHOP AND METAL WORKING SHOP AND OTHER FACILITIES
HAS BEEN MADE. ESTIMATED SIX HUNDRED LAW ENFORCEMENT OFFICERS
ARE ON HAND READY TO CONTROL RIOT. TV AND NEWS REPORTERS ON SCENE.
END OF PAGE ONE

EX-102

REC 25

157-83105-17

15 SEP 15 1971

"cc to WFO
Adm. data deleted"

Included in summary to White House
and Attorney General. Date 9/10/71

RACIAL INT. SECT.

AGENCY: CRD, ISD, REC. MFG, CD, ACST, DSI, SS

HOW FORW: [initials]
DATE FORW: SEP 14 1971
BY: [initials]

State Prison

pa
c

PAGE TWO

[REDACTED]
[REDACTED] STATE UNIVERSITY OF NEW YORK AT BUFFALO LAW SCHOOL, BUFFALO, NY WHO HAS BEEN INVESTIGATING PRISONER'S CLAIMS OF MALTREATMENT WERE NEGOTIATING WITH THE PRISONERS WITHOUT EFFECT.

AS OF SEVEN P.M. TODAY [REDACTED] HAD RELAYED TO NYS GOV. NELSON A. ROCKEFELLER THE FOLLOWING DEMANDS OF PRISONERS:

ONE - COMPLETE AMNESTY FOR ALL PRISONERS INVOLVED IN RIOT.
TWO - BPP LEADER HUEY NEWTON, AND LEADER OF NATION OF ISLAM GROUP IN NEW YORK CITY TO BE FLOWN IN AND ADDRESS PRISONERS.
THREE - ALL BLACK PRISONERS TO BE FLOWN TO A NEUTRAL COUNTRY.
PRISONERS HAVE THREATENED TO KILL ALL HOSTAGES UNLESS DEMANDS MET.

[REDACTED] TOLD PRISONERS HE COULD GRANT ONLY ADMINISTRATIVE AMNESTY IN CONNECTION WITH FIRST DEMAND AND THAT LEGAL AMNESTY WOULD HAVE TO BE GRANTED BY GOVERNOR.. ALSO TOLD PRISONERS OTHER DEMANDS UNREAL AT THIS TIME.

END OF PAGE TWO

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PAGE THREE

b7D

[REDACTED]

THIRTYTWO HOSTAGE GUARDS HAVE BEEN STRIPPED, BLINDFOLDED, BEATEN AND ARE BEING MADE TO STAND AT ATTENTION.

BOTH WHITE AND BLACK PRISONERS INVOLVED IN RIOT BUT NEGOTIATORS ARE ALL BLACK AND KNOWN TO AUTHORITIES AS MILITANTS. IDENTITIES OF NEGOTIATORS NOT ASCERTAINED AS YET.

FOR PAST FOUR MONTHS, MAIL TO PRISONERS HAS BEEN SEALED AND NOT CENSURED AND NO INFORMATION AVAILABLE RE RECEIPT OF EXTREMIST LITERATURE OR PUBLICATIONS BY PRISONERS.

ADMINISTRATIVE

REMYTEL THREE FORTY P.M. TODAY.

SOURCES ARE [REDACTED]

[REDACTED]

[REDACTED]

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-END OF PAGE THREE

PAGE FOUR

BUFFALO MAINTAINING LIAISON WITH APPROPRIATE AUTHORITIES.

BUREAU WILL BE PROMPTLY ADVISED OF PERTINENT DEVELOPMENTS.

END

LRS FBI WASHDC

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/10/71

Prisoners at New York Correctional Facility, Attica, New York, began rioting 9/9/71, following false rumors that a black prisoner was assaulted by guards. Prisoners seized control of two cell blocks and held over forty guards as hostages. Several guards were badly beaten while attempting to control outbreak. Prisoners in possession of tear gas guns and cannisters. They have threatened to kill one guard for every shot fired at prisoners.

Preliminary estimate of one million dollars damage from burning of prison school, chapel and other property. Note that one of leaders wrote to Bureau in 1969 claiming rights to worship as Islamic being denied. Matter referred to Civil Rights Division of Department.

Attached reports that State officials, including Governor Rockefeller, have capitulated to unreasonable demands of prisoners in return for release of hostages. Information in attached and in previous teletypes being included in a summary to the White House, Attorney General, Secret Service and military agencies. Copy being sent to Inter-Division Intelligence Unit, Internal Security and Civil Rights Division of Department.

TJS:kdf

Handwritten signatures and initials:
 GSA
 TJS
 PLEP
 7
 RDC/pt
 JDM
 JDM

NR011 BU CODE

11:58PM 9-9-71 /// SENT: 12:55AM 9-10-71 URGENT 9-9-71 PXM

TO DIRECTOR (ATTENTION: DOMESTIC INTELLIGENCE DIVISION)

FROM BUFFALO (157-NEW)

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,

ATTICA, NEW YORK, EXTREMIST MATTER

RELIABLE NEW YORK STATE CORRECTIONS OFFICIALS ADVISED TODAY
AS FOLLOWS:

IT HAS NOW BEEN DETERMINE THAT THIRTY CORRECTIONAL OFFICERS
AND FOUR CIVILIAN INDUSTRIAL SHOP FORMEN ARE PRESENTLY BEING HELD
AS HOSTAGES AT CAPTIONED FACILITY.

THERE HAVE BEEN ELEVEN HOSTAGES RELEASED AND HOSPITALIZED,
TWO OF WHOM ARE IN SERIOUS CONDITION.

THE FACILITY INMATE POPULATION CONSISTS OF FIFTYFIVE PERCENT
BLACKS AND FORTYFIVE PERCENT WHITES. THOSE INMATES PARTICIPATING
IN THE RIOT CONSIST OF EIGHTY PERCENT BLACKS AND TWENTY PERCENT
WHITES AND ARE PRESENTLY LOCATED IN THE YARD AREA OF THE FACILITY
WHERE ALL THE HOSTAGES ARE STRIPPED, BLINDFOLDED, AND BEING
MADE TO STAND AT ATTENTION. THE WHITES WERE REPORTEDLY
FORCED INTO THE YARD AREA BY THE BLACKS.

END OF PAGE ONE

"cc to IDIU
Adm. data deleted"

Included in summary to White House
and Attorney General. Date 9/13/71

MR. SULLIVAN FOR THE DIRECTOR

Viper

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Porter	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

McDonough
Miller, E.S.

54 SEP 28 1971

PAGE TWO

LEADERS OF THE RIOT ARE [REDACTED] } NY

[REDACTED] ALL BLACKS AND [REDACTED] A WHITE. THE RIOTERS HAVE IN THEIR POSSESSION FOUR GAS GUNS AND AN UNKNOWN QUANTITY OF GAS PROJECTILES. THEY ALSO TOOK TWENTY FOUR CANNISTERS OF TEAR GAS, AND HAVE USED APPROXIMATELY ONE HALF OF THAT.

AFTER HAVING TALKED WITH THE RIOTERS, [REDACTED]

[REDACTED] HAVE DECIDED TO MAKE NO ATTEMPT TO MOVE AGAINST THE RIOTERS TONIGHT. THIS DECISION TO MOVE WAS DELAYED TO INSURE THE SAFETY OF THE HOSTAGES.

THE NEW YORK STATE POLICE IS KEEPING ONE HUNDRED SEVENTYFIVE MEN AT THE FACILITY OVERNIGHT WITH BALANCE OF FIVE HUNDRED MEN ON STANDBY IN IMMEDIATE VICINITY.

DEPUTIES FROM WYOMING, GENESEE, LIVINGSTON, MONROE, SCHUYLER AND ERIE COUNTIES ARE ALSO AT THE FACILITY.

SUBSEQUENTLY THE RIOTERS SELECTED [REDACTED] AS THEIR SPOKESMAN. [REDACTED], BUFFALO ATTORNEY, MET WITH STATE OFFICIALS. IN AN AGREEMENT DRAWN UP BY [REDACTED] THE RIOTERS HAVE DEMANDED A FEDERAL COURT ORDER, SIGNED BY JUDGE JOHN CURTIN OF BUFFALO, NEW YORK, WITNESSED BY [REDACTED] AND GOVERNOR ROCKEFELLER INSURING THAT NO ADMINISTRATIVE REPRISALS OR BRUTALITY

END OF PAGE TWO

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PAGE THREE

WILL BE ADMINISTERED AGAINST ANY INMATE WHO HAS PARTICIPATED IN
TODAYS ACTION. FURTHER, THAT THREE MEN BE SELECTED FROM A LIST
OF BLACK, WHITE AND PUERTO RICAN LEADERS WHO ARE TO INSURE THAT
THERE ARE NO REPRISALS. IN RETURN, THE RIOTERS WILL FREE
THE HOSTAGES.

[REDACTED] HAS ALREADY SIGNED THIS AGREEMENT.

JUDGE CURTIN AND GOVERNOR ROCKEFELLER HAVE AGREED TO SIGN.

[REDACTED] IS FLYING TO MANCHESTER, VERMONT TONIGHT

WHERE JUDGE CURTIN IS ATTENDING CONVENTION

TO GET HIS SIGNATURE THEN TO
ALBANY FOR THE GOVERNOR'S SIGNATURE.

ADMINISTRATIVE

RE MY TELETYPE NINE TWENTYNINE P.M. TODAY .

SOURCES :

[REDACTED]
[REDACTED] (NA), NYSP.

END OF PAGE THREE

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PAGE FOUR

NO LHM BEING SUBMITTED. BUFFALO MAINTAINING CONTINUOUS LIAISON WITH APPROPRIATE AUTHORITIES AND WILL PROMPTLY ADVISE BUREAU OF PERTINENT DEVELOPMENTS.

BUFFALO FILE FOUR FOUR DASH FOUR ONE FIVE INDICATES ONE

[REDACTED] ATTICA [REDACTED]

[REDACTED] WROTE A

LETTER TO MR. HOOVER ON FEBRUARY NINE SIXTYNINE COMPLAINING THAT HIS RIGHTS TO WORSHIP ACCORDING TO HIS BELIEFS (ISLAM) WERE BEING DENIED TO HIM. THAT LETTER WAS ACKNOWLEDGED AND FURNISHED TO CIVIL RIGHTS DIVISION, DEPT. OF JUSTICE FOR CONSIDERATION.

BUFFALO INDICES NEGATIVE [REDACTED]

[REDACTED]
END

CORR PAGE FOUR LINE FIVE SHD READ AS FOLLOWS

[REDACTED] ~~ATTICA~~ [REDACTED]

~~WROTE A~~

END

DCW

FBI WASH DC

cc - Mr. Miller

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b7c

NR 017 SF C O D E

5 34 PM URGENT 9/10/71 DEH

TO: DIRECTOR
ALBANY
BUFFALO
NEW YORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 5/19/82 BY SP5 rja/vp
7/23/87 # 87168 SP5 cll/bms

FROM: SAN FRANCISCO (157-) 2 PAGES

RIOT AT ATTICA STATE PRISON, NEW YORK, IN.

RELIABLE SOURCE ADVISED THAT BPP MINISTER OF DEFENSE RUEY P. NEWTON, CONTACTED THE SECRETARY OF NEW YORK STATE ASSEMBLYMAN ARTHUR EVE INFORMING HER THAT HE CONTEMPLATED TRAVELING TO BUFFALO AS REQUESTED.

NO FLIGHT ARRANGEMENTS HAVE AS YET BEEN MADE BY NEWTON HOWEVER THE NEXT LOGICAL TRANSPORTATION FROM THIS AREA WOULD BE FROM SAN FRANCISCO VIA CHICAGO TO BUFFALO AND TWO FLIGHTS ARE AVAILABLE AT ABOUT MIDNIGHT WITH CONNECTIONS ARRIVING IN BUFFALO BETWEEN NINE AND TEN A.M., TOMORROW.

NEWTON APPARENTLY HAS SOME RESERVATION ABOUT MAKING AN APPEARANCE AT PRISON BUT WAS ASSURED BY EVE'S SECRETARY THAT HE

END OF PAGE ONE

cc to IDIU
Adm. data deleted

PAGE TWO

WOULD BE SAFE, NOTING THAT EVE HAS BEEN INSIDE PRISON COMPOUND
WITH RIOTING PRISONERS FOR PAST TWO DAYS.

ADMINISTRATIVE:

SOURCE IS

b7D

BUREAU AND RECEIVING OFFICES WILL BE ADVISED OF ANY FURTHER
PERTINENT DEVELOPMENTS AS TO PROPOSED TRAVEL BY NEWTON.

END

LRS WASHDC FBI

C. J. [unclear]

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 10 1971

TELETYPE

Mr. Tolson_____
Mr. Felt_____
Mr. Sullivan_____
Mr. Mohr_____
Mr. Bishop_____
Mr. BrennanCD_____
Mr. Callahan_____
Mr. Casper_____
Mr. Conrad_____
Mr. Dalbey_____
Mr. Gale_____
Mr. Ponder_____
Mr. Rosen_____
Mr. Tavel_____
Mr. Walters_____
Mr. Soyars_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____

NR 005 SF CODE

103PM URGENT 9-10-71 MS

TO DIRECTOR

BUFFALO

ALBANY

NEW YORK

FROM SAN FRANCISCO (157-) 2P

Extremist Matter
RIOT AT ATTICA STATE PRISON, NEW YORK, EM

RELIABLE SOURCE ADVISED THAT AN INDIVIDUAL IDENTIFYING HERSELF
[REDACTED] NEW YORK ATTORNEY WILLIAM KUNSTLER CONTACTED BPP
NATIONAL HEADQUARTERS ADVISING THAT KUNSTLER WANTED HUEY NEWTON, BPP
MINISTER OF DEFENSE, TO COME TO NEW YORK AND TO GO WITH KUNSTLER TO
ATTICA STATE PRISON.

A SECOND RELIABLE SOURCE REPORTED THAT HUEY NEWTON WAS
ECSTATIC ABOUT THE REQUEST, AND NEWTON [REDACTED] HAS
CONTACTED KUNSTLER [REDACTED] FOR FURTHER DETAILS INDICATING IT
WOULD TAKE NEWTON SEVERAL HOURS TO GET TO NEW YORK.

REPORTEDLY, KUNSTLER [REDACTED] DOES NOT KNOW HIS PRESENT
WHEREABOUTS AND IS ATTEMPTING TO LOCATE HIM SO THAT ARRANGEMENTS
CAN BE PERFECTED FOR A POSSIBLE TRIP BY NEWTON AND MEETING WITH
KUNSTLER.

SEP 15 1971

END PAGE ONE

SEP 23 1971

Adm. data deleted

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/87 BY SP5C110ms

PAGE TWO

KUNSTLER [REDACTED] WAS REACHED BY [REDACTED] AT NEW YORK TELEPHONE
TWO ONE TWO - TWO SIX FIVE - TWO FIVE ZERO ZERO.

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b7D

ADMINISTRATIVE:

FIRST SOURCE IS [REDACTED]

SECOND SOURCE IS [REDACTED]

NEW YORK ADVISE BUFFALO OF ANY INFORMATION REGARDING CURRENT
WHEREABOUTS OF KUNSTLER.

BUFFALO, ALERT PRISON AUTHORITIES OF POSSIBILITY OF TRAVEL BY
NEWTON TO ATTICA PRISON. SF WILL CONTINUE TO FOLLOW THIS MATTER WITH
BPP SOURCES AND WILL ADVISE OF ANY DEFINITE TRAVEL DATA OBTAINED.

END

KPT FBI WASH

CLR

COMMUNICATIONS SECTION

Tolson _____
Felt _____
Sullivan _____
Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Gale _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR 003 SF CODE

12:02 PM URGENT 9/10/71 MCC

TO DIRECTOR

BUFFALO

ALBANY

FROM SAN FRANCISCO (157-0) 2P

RIOT AT ATTICA STATE PRISON, NEW YORK, EM.

RELIABLE SOURCE ADVISED THAT SHORTLY AFTER SEVEN A.M.,

SEPTEMBER TEN INSTANT, AN INDIVIDUAL IDENTIFYING [REDACTED]

NEW YORK STATE ASSEMBLYMAN

~~ARTHUR EVE~~, CONTACTED BLACK PANTHER PARTY NATIONAL HEADQUARTERS, OAKLAND, CALIFORNIA.

REPORTEDLY EVE, A BLACK ASSEMBLYMAN FROM BUFFALO, NY, HAD BEEN MEETING WITH RIOTING PRISONERS AT ATTICA STATE PRISON, AND ACCORDING TO [REDACTED] ONE OF THE PRISONER'S DEMANDS WAS TO SPEAK WITH HUEY NEWTON, BPP MINISTER OF DEFENSE. AS A RESULT EVE DESIRED TO CONTACT NEWTON AND [REDACTED] REQUESTED THAT NEWTON [REDACTED] AT TELEPHONE SEVEN ONE SIX - EIGHT NINE FIVE - FOUR THREE FIVE NINE.

END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED *cms-6203*
DATE 7/23/87 BY SP5C110MS

REC-30

157-23105
44-50605-6

10 SEP 15 1971

55 SEP 2

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PAGE TWO

SOURCE FURTHER ADVISED THAT THIS MESSAGE WAS NOT FURNISHED DIRECTLY TO NEWTON AS YET, HOWEVER, BPP OFFICER OF THE DAY SPEAKING WITH [REDACTED] HAD FURNISHED THE MESSAGE TO RECORDER UNIT AT NEWTON'S APARTMENT.

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ADMINISTRATIVE

SOURCE IS [REDACTED]

SF WILL ADVISE BUREAU AND BUFFALO OF ANY FURTHER DATA RECEIVED. ALBANY ADVISED IN VIEW OF EVE'S POSITION.
END

AND HOLD

CC : MR. TRAINOR
ROOM 712-A 9&D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 048 NY CODE

SEP 10 1971

TELETYPE

917 PM URGENT 9-10-71 KEH

TO DIRECTOR

ALBANY

BUFFALO

CHICAGO

SAN FRANCISCO

FROM NEW YORK (157-NEW)

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Daibey _____
Mr. Gale _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

RIOT AT ATTICA STATE PRISON, NEW YORK, EM.

SOURCE WHO FURNISHED RELIABLE INFORMATION IN PAST,
ADVISED THAT NEW YORK ATTORNEY WILLIAM KUNSTLER WANTED HEUY
NEWTON, BLACK PANTHER PARTY MINISTER OF DEFENSE TO ACCOMPANY
KUNSTLER TO ATTICA STATE PRISON. REPORTEDLY KUNSTLER'S

[REDACTED] DID NOT KNOW KUNSTLER'S PRESENT WHEREABOUTS AND WAS
ATTEMPTING TO LOCATE KUNSTLER TO SET UP ARRANGEMENTS FOR MEETING
OF NEWTON WITH KUNSTLER. AS OF NINE SEVEN INSTANT,

KUNSTLER'S ITINERARY AS FURNISHED BY DEPUTY UNITED STATES

[REDACTED] CHICAGO INDICATED KUNSTLER, AS OF NINE

NINE, INSTANT WAS TO BE IN WASHINGTON, D.C. FOR MEETING OF
AMERICAN PSYCHIATRIST ASSOICATION. BEYOND NINE NINE, INSTANT

THERE WAS NO INFORMATION ON KUNSTLER'S ITINERARY AVAILABLE
TO NEW YORK.

END PAGE ONE

"cc to IDIU
Adm. data deleted"

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 4/23/80 BY SP1GSK/BS/CA

PAGE TWO

(157-NEW)

ADMINISTRATIVE

REFERENCE SAN FRANCISCO TELETYPE, NINE NINE,
INSTANT.

SOURCE IS SF

CHICAGO CONTACT

AND ADVISE BUFFALO OF ANY INFORMATION CONCERNING CURRENT WHERE-
ABOUTS OF KUNSTLER.

E N D

TRC FBI WDC

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b7C
b7D

Domestic Intelligence Division

INFORMATIVE NOTE

9/11/71

Date _____

Attached relates Attorney William Kunstler contacted the Black Panther Party (BPP) national headquarters in San Francisco, California, on 9/10/71, asking that Huey P. Newton, BPP Minister of Defense, come to New York and go to Attica Prison where inmates are holding a number of guards as hostages.

We were subsequently advised that Newton had some reservations about making an appearance at the prison but was assured by secretary of New York State Assemblyman Arthur Eve, a Negro, that he would be safe. Newton considering sending BPP Chairman Bobby Seale in his place.

A Federal judge on 9/10/71 issued a court order directing New York Governor and others not to take administrative action against personnel involved in the disturbance. Inmates demand a committee of three persons be appointed to insure reprisals not taken against them. They have named several individuals whom they wish to be considered including Kunstler and Eve.

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

ABK:lrs

NR 022 SF C O D E

8 35 PM URGENT 9/10/71 FCO

TO: DIRECTOR

ALBANY

BUFFALO

NEW YORK

FROM: SAN FRANCISCO (157-

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 10 1971

TELETYPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/5/82
7/23/87

BY 65417
SP5C/LW

RIOT AT ATTICA STATE PRISON, NEW YORK; EM.

RELIABLE SOURCE ADVISED THAT HUEY P. NEWTON NOW MAY NOT
TRAVEL TO ATTICA PRISON, HOWEVER IS CONSIDERING SENDING BLACK PANTHER
PARTY CHAIRMAN BOBBY SEALE IN HIS PLACE.

SOURCE NOTED THAT SEALE HAD OTHER COMMITMENTS SCHEDULE FOR
MORNING OF SEPTEMBER ELEVEN, NEXT, WHICH HAVE NOT BEEN CANCELED; AND
THEREFORE, ANY TRAVEL BY SEALE IS QUESTIONABLE.

APPARENTLY NO TRAVEL ARRANGEMENTS HAVE BEEN MADE AS YET.

ADMINISTRATIVE:

SOURCE IS

BUREAU AND RECEIVING OFFICES WILL BE KEPT ADVISED OF PERTINENT
DEVELOPMENTS.

END.....

HOLD

FBI
RECEIVED-10/20/71

SEP 13 11 05 AM '71

ST-117

6 SEP 17 1971

1 5 11 12 11

"cc to IDIU

Adm. data deleted

57 SEP 22 1971

Included in summary to White House
and Attorney General. Date 9/13/71

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Bishop
Mr. Brennan
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. DeLoach
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

b7D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 10 1971

TELETYPE

Mr. Tolson _____
Mr. Belmont _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. DeLoach _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Mr. Holmes _____
Miss Gandy _____
CD _____

NR002 BU CODE

6:57 PM NITEL 9-10-71 DAT
TO DIRECTOR (ATTN: DID)
FROM BUFFALO (157-1367) 7P

RIOT BY INMATES, ⁽¹⁾NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, N.Y., EXTREMIST MATTER; ⁽¹⁾

RELIABLE NYS CORRECTIONS OFFICIALS ADVISED TODAY AS FOLLOWS:

U.S. DISTRICT COURT JUDGE JOHN T. CURTIN, WDNY, BUFFALO, HAS
ISSUED A COURT ORDER DIRECTED TO GOV. ROCKEFELLER, [REDACTED]

[REDACTED]
[REDACTED] ATTICA CORRECTIONAL FACILITY, ORDERING THEM NOT TO TAKE ADMINIS-
TRATIVE ACTION AGAINST PERSONS INVOLVED IN CURRENT DISTURBANCE ON
SEPT. NINE LAST. ORDER ISSUED WITH CONSENT OF THE DEFENDANTS NAMED
ABOVE.

INMATES HAVE DEMANDED COMMITTEE OF THREE PERSONS TO BE APPOIN-
TED TO INSURE ADMINISTRATIVE REPRISALS NOT TAKEN AGAINST INMATES
TO BE CHOSEN FROM FOLLOWING INDIVIDUALS OR ORGANIZATIONS:

WILLIAM KUNSTLER, NATIONALLY KNOWN ATTORNEY; NYS ASSEMBLYMAN

ARTHUR O. EVE, OF BUFFALO, N.Y.;

NEWS "

NEW YORK TIMES "

BUFFALO,

END PAGE ONE

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b6
b7C

PAGE TWO

N.Y., "COURIER EXPRESS"; DAVE ANDERSON, OF THE URBAN LEAGUE OF
ROCHESTER, ^{2.} [REDACTED] OF THE "DEMOCRATIC CHRONICLE" OF DETROIT, ^{N.Y.}
MICHIGAN [REDACTED] ASSOCIATED WITH THE NATION OF ISLAM ^{N.Y.}
MUHAMMAD SPEAKS [REDACTED] BLACK PANTHER PARTY; FORTUNE
SOCIETY, ^{N.Y.} PRISONERS SOLIDARITY COMMITTEE; AND [REDACTED] INDIVIDUALS
DESIRED FROM THE LATTER ORGANIZATIONS WERE NOT SPECIFIED BY THE
INMATES. THE "PALATY" IS THE OFFICIAL PUBLICATION OF THE YOUNG
LOUDES PARTY, IN NEW YORK CITY, AND IS TRANSLATED "RIGHT ON" [REDACTED]
[REDACTED] IS KNOWN TO BE [REDACTED] OF MUHAMMAD'S MOSQUE OF NEW YORK
CITY.

AS OF NINE AM, TODAY, INMATES STILL CONTROLLED CELL BLOCKS
B AND D. A TOTAL OF TWELVE GUARDS HAVE BEEN INJURED, ONE OF WHOM
HAS BEEN RELEASED BY THE PRISONERS. THIRTYNINE HOSTAGES WERE STILL
BEING HELD, INCLUDING ELEVEN CIVILIANS EMPLOYEES AND TWENTYEIGHT
GUARDS AT THE FACILITY. [REDACTED] WAS THEN CONFERRING WITH
NYS ASSEMBLYMAN ARTHUR O. EVE, A BLACK MAN FROM THE BUFFALO AREA,
AND [REDACTED] CONCERNING EVE AND [REDACTED], LAYING
THE GROUNDWORK WITH THE INMATES FOR [REDACTED] TO PRESENT THE COURT
ORDER ISSUED BY JUDGE CURTIN TO INMATES FOR APPROVAL.
END PG TWO

b6
b7C

b6
b7C
b7D

PAGE THREE

BETWEEN ELEVEN THIRTY AM AND TWELVE THIRTY PM, TODAY, [REDACTED] WAS NEGOTIATING THE DEMANDS OF THE PRISONERS WITH THE PRISONERS ACCOMPANIED BY NINE OTHER REPRESENTATIVES. THESE REPRESENTATIVES INCLUDED NYS ^{New York State} ASSEMBLYMAN EVE [REDACTED] ^{N.Y.}, THREE OBSERVERS REPRESENTING THE ADMINISTRATION, AND INCLUDING THE [REDACTED] ^{N.Y.} WHO WAS ASSOCIATED WITH THE ROCHESTER, NY CIVIL RIGHTS ORGANIZATION [REDACTED] ^{of} OF ROCHESTER, NY WHO HAS BEEN ASSOCIATED WITH THE ROCHESTER COUNCIL OF CHURCHES AND THE "FIGHT" ORGANIZATION; AND AN [REDACTED] ^{N.Y.} OTHERS ACCOMPANYING [REDACTED] ARE FOUR REPRESENTATIVES OF THE NEWS MEDIA. ^{material} ^{Savoy} ^{Exiled}

ON SEPT TEN INSTANT, A RELIABLE SOURCE OF THE BUFFALO OFFICE ADVISED THAT AN [REDACTED] HAD ARRIVED AT BUFFALO FROM NEW YORK CITY ON THE NIGHT OF SEPT. NINE LAST, WHERE HE MET WITH LOCAL REPRESENTATIVES OF YOUTH AGAINST WAR AND FASCISM AND THEN PROCEEDED TO ATTICA STATE PRISON ON SEPT NINE LAST. YAWF IS THE YOUTH FRONT GROUP OF THE WORKERS WORLD PARTY.

A NEW YORK STATE CORRECTIONS OFFICIAL CHARACTERIZED [REDACTED] AS BEING RADICAL, BUT FAIR.

END PG THREE

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b7C
b7D

b6
b7C

PAGE FOUR

THE RELIABLE SOURCE OF THE BUFFALO OFFICE ALSO ADVISED THAT
YAWF WAS PLANNED A RALLY AND PRESS CONFERENCE IN NEW YORK CITY
TODAY IN CONNECTION WITH THE RIOT, AND THAT RALLIES HAVE BEEN
PLANNED FOR NYC, ROCHESTER AND SYRACUSE, NY, ON SEPT ELEVEN NEXT.

ADMINISTRATIVE

RENYTELS SEPT. NINE LAST.

NYS CORRECTIONS OFFICIALS SOURCES ARE [REDACTED]

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b7D

THE RELIABLE BUFFALO SOURCE MENTIONED IS [REDACTED]

[REDACTED] INFO FURNISHED BY THIS SOURCE HAS BEEN DISSEMINATED TO THE
RESPONSIBLE NYS POLICE OFFICIALS AND TO THE ALBANY AND NEW YORK
OFFICES TELEPHONICALLY CONCERNING THE PLANNED RALLIES. THE NEW YORK
OFFICE HAS ADVISED THAT [REDACTED] IS KNOWN TO THAT OFFICE AS A
NEW YORK [REDACTED] AND THERE ARE REFERENCES IN THE NY INDICES
TO HIM IN CRIMINAL CASES ONLY. THE INDICES OF THE BUFFALO OFFICE
INDICATE [REDACTED], WHO MAY BE IDENTICAL WITH THE INDIVIDUAL
MENTIONED ABOVE, WAS PUBLICLY IDENTIFIED AS [REDACTED]

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b7D

[REDACTED] NIAGARA FALLS, NY.
IN MARCH SEVENTY.

END PG FOUR

PG FIVE

THE PRISONERS SOLIDARITY COMMITTEE IN BUFFALO HAS BEEN PUBLICLY IDENTIFIED AS AFFILIATED WITH YAWF AND HAS BEEN INVOLVED WITH VARIOUS ACTIVITIES IN CONNECTION WITH CONDITIONS IN LOCAL JAILS, PRISONERS PRIVILEGES AND A RIGHT TO INSPECT JAIL FACILITIES.

ARTHUR O. EVE IS THE BLACK NYS ASSEMBLYMAN (DEMOCRATIC) FROM BUFFALO AREA WHO HAS BEEN ASSOCIATED WITH A LOCAL BLACK NEWSPAPER AND BLACK CIVIL RIGHTS ORGANIZATIONS.

INDICES OF THE BUFFALO OFFICE NEGATIVE OR CONTAINED NO INFO IDENTIFIABLE WITH [REDACTED]

[REDACTED] OR THE FORTUNE SOCIETY.

AIRMAIL COPIES TO ALBANY AND SAN FRANCISCO.

P.

END

WPT FBI WASH

CLR

b6
b7c

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 11 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____
Miller	_____

NR 001 SF CODE

1151AM URGENT 9/11/71 CAK

TO DIRECTOR ATTN: DID

BUFFALO

ALBANY

CHICAGO

NEW YORK

FROM SAN FRANCISCO (157-)

RIOT AT ATTICA STATE PRISON, NEW YORK, ^{Extremist Matters}

ON MORNING OF SEPTEMBER ELEVEN, INSTANT, FIRST
SOURCE REPORTED THAT ^{Black Panther Party} BPP CHAIRMAN, BOBBY SEALE WILL
TRAVEL TO ATTICA, NEW YORK, ON SEPTEMBER ELEVEN, INSTANT,
IN PLACE OF ^{Black Panther Party} BPP ADMINISTRATOR OF DEFENSE, HUEY P. NEWTON
IN CONNECTION WITH DEMANDS OF RIOTING PRISONERS AT ATTICA
STATE PRISON.

END PAGE ONE

REC-301 57 - 23105 - 4

10 SEP 15 1971

"cc to IDIU
Adm. data deleted"

50 SEP 22 1971

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/5/82 BY SP 519/VP
7/23/87 SP 519/VP

PAGE TWO

THIS SOURCE FURTHER ADVISED THAT ON MORNING OF SEPTEMBER ELEVEN,
INSTANT, [REDACTED] ^{Black Panther Party}
BPP NATIONAL

HEADQUARTERS, OAKLAND, CALIFORNIA, HAD CONTACTED
MAJOR NEWSPAPERS AND RADIO AND TELEVISION NETWORKS
IN NEW YORK CITY ADVISING THAT SEALE WOULD ARRIVE AT BUFFALO,
NEW YORK AIRPORT ON UNITED AIRLINES (UAL) FLIGHT FOUR
^E TWO AT FOUR FIFTY-THREE PM, SEPTEMBER ELEVEN ^{INSTANT,}
AND WOULD HOLD PRESS CONFERENCE AT BUFFALO AIRPORT AT
FIVE PM. ONE NEWSMAN EXPLAINED TO THE BPP [REDACTED]
THAT ATTICA IS APPROXIMATELY ONE AND ONE HALF HOUR
DRIVE FROM BUFFALO AND SINCE NUMBERS OF ALL MAJOR NEWS
MEDIA ARE AT ATTICA IT WOULD BE BETTER IF SEALE COULD
HOLD PRESS CONFERENCE AT ATTICA RATHER THAN BUFFALO
AIRPORT. AFTER CHECKING WITH [REDACTED] OF SEALE, THE
BPP [REDACTED] TOLD THIS NEWSMAN THE PRESS CONFERENCE
WOULD DEFINITELY BE HELD AT BUFFALO AIRPORT.

A SECOND SOURCE ADVISED THAT B. SEALE, [REDACTED]

END PAGE TWO

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PAGE THREE

[REDACTED] DEPARTED SAN FRANCISCO INTERNATIONAL AIRPORT
ON UAL FLIGHT ONE TWO ZERO AT EIGHT AM, SEPTEMBER ELEVEN,
INSTANT, WITH DESTINATION TO BUFFALO, NEW YORK. UAL
FLIGHT ARRIVES CHICAGO, ILLINOIS ONE FIFTY-FIVE
PM WHERE THEY WILL CATCH CONNECTING UAL FLIGHT FOUR ONE
TWO DEPARTING CHICAGO TWO THIRTY PM AND ARRIVING BUFFALO
AT FOUR FIFTY-THREE PM, SEPTEMBER ELEVEN, INSTANT.

[REDACTED] IS APPARENTLY [REDACTED]
IS APPARENTLY [REDACTED] BOTH ARE ACTIVE
~~BLACK PANTHER PARTY MEMBERS~~
BPP MEMBERS IN SAN FRANCISCO BAY AREA [REDACTED]

Calif
NY

[REDACTED] SEALE AND NEWTON.

ADMINISTRATIVE

RE SAN FRANCISCO TELETYPE, SEPTEMBER TEN, LAST.

FIRST SOURCE IS [REDACTED]

END PAGE THREE

b6
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b7D

PAGE FOUR

SECOND SOURCE IS [REDACTED]

[REDACTED] SAN FRANCISCO INTERNATIONAL AIRPORT.

BUFFALO FOLLOW AND REPORT ACTIVITIES OF SEALE WHILE
IN BUFFALO DIVISION.

E N D

~~CORR PAGE TWO LINE SEVEN FIRST WORD IS "ONE" AND IN LINE SIXTEEN
FOURTH WORD IS "HELD". PAGE THREE LINE TWO FOURTH WORD IS "ONE".~~

DRL FBI WASH DC

MR. TRAINOR
ROOM 712-A 9&D

b6
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Domestic Intelligence Division

INFORMATIVE NOTE

9-13-71

Date

Attached concerns the riot by inmates at New York State Correctional facility, Attica, New York. We were previously advised that 40 persons were killed including 31 inmates and 9 guards being held as hostages before the riot was brought under control.

Attached relates that 35 inmates and 9 guards* held as hostages were found dead. Twelve or thirteen additional inmates are not expected to live and another 92 or 93 were injured. All ^{SLAIN} hostages had their throats slit and some had been castrated. A rally was held in Buffalo, New York, which was addressed by William Kunstler, an attorney who has gained notoriety by defending revolutionary-type individuals. Thirteen persons were arrested and two policemen received minor injuries.

We were subsequently advised that the Vietnam Peace Parade Committee and other organizations conducted a demonstration in front of Governor Rockefeller's New York Office on 9-13-71. About 500 persons participated in the demonstration.

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

*Press reports total 37 slain. We are
ABK:lrs checking with Buffalo to get correct count.

WYK
RDP

COMMUNICATIONS

Tolson	_____
Felt	_____
Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR018 NY CODE

SEP 11 1971

506PM IMMEDIATE 9-11-71 JPM

TELETYPE

TO DIRECTOR

ALBANY

BUFFALO

SAN FRANCISCO

FROM NEW YORK (157-NEW)

RIOT AT ATTICA STATE PRISON, NEW YORK, EM.

[REDACTED] GOVERNOR ROCKEFELLER'S OFFICE
TELEPHONICALLY CONTACTED THE NYO ON SEPTEMBER ELEVEN,
NINETEEN SEVENTY ONE, AND STATED THAT GOVERNOR ROCKEFELLER'S
OFFICE IS CONCERNED ABOUT REPORTS THAT BOBBY SEALE AND HUEY
NEWTON ARE GOING TO THE ATTICA STATE PRISON. HE SAID THAT
HE WISHED TO CONVEY TO THE FBI THE FEELING OF THE GOVERNOR'S
OFFICE THAT IT WOULD BE BETTER IF NEITHER SEALE NOR NEWTON
APPEARED AT THE PRISON. HE STATED THAT IF ANYTHING CAN BE
DONE TO PREVENT THEIR APPEARANCE, IT IS BELIEVED THAT THIS
WOULD HELP THE SITUATION.

[REDACTED] ALSO ADVISED THAT HE IS LEAVING NYC THIS
DATE IN ORDER TO GO TO THE ATTICA STATE PRISON, WHERE HE CAN
BE CONTACTED THROUGH COMMISSIONER O'HARA'S OFFICE AT THE
END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/5/82
7/23/87

BY SP 5 sig/jrp
SPS 21 110465

"cc to 100J
Adm. data department"

55 SEP 22 1971

b6
b7C

PAGE TWO

PRISON, TELEPHONE SEVEN ONE SIX DASH FIVE NINE ONE DASH
TWO TWO THREE NINE.

BUFFALO'S ATTENTION INVITED TO SAN FRANCISCO
TELETYPE THIS DATE INDICATING SEALE ARRIVING BUFFALO THIS
MORNING. IT IS RECOMMENDED THAT BUFFALO CONSIDER DISSEMINATION OF
INFORMATION CONCERNING SEALE'S ARRIVAL TO FOR
THE INFORMATION OF GOVERNOR ROCKEFELLER, AND TO THE NEW YORK
STATE POLICE.

SAN FRANCISCO SHOULD ADVISE IF IT IS KNOWN WHETHER
SEALE WAS TRAVELING WITH ANY WEAPON, IN VIOLATION OF FEDERAL
OR STATE LAWS.

NYO WILL ALERT BLACK PANTHER SOURCES FOR INFORMATION
CONCERNING SEALE.

BUFFALO AND SAN FRANCISCO SHOULD IMMEDIATELY ALERT
THEIR SOURCES.

END

TRC FBIWDC

b6
b7C

CC- MR. TRAINOR
ROOM 712-A 9&D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

SEP 11 1971

TELETYPE

NR 003 BU CODE

1104PM URGENT 9-11-71 PXM

TO DIRECTOR (ATTENTION: DOMESTIC INTELLIGENCE DIVISION)

SAN FRANCISCO

NEW YORK

FROM BUFFALO (157-1367) GP

ATTICA State Prison
RIOT BY INMATES, NEW YORK STATE CORRECTIONAL

FACILITY, ATTICA

NEW YORK, EN.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/5/82 BY sp-5jg/

BOBBY DEALE OF BLACK PANTHER PARTY, ARRIVED BUFFALO INTERNATIONAL

AIRPORT AT FOUR FIFTY EIGHT P.M. THIS DATE. APPROXIMATELY FIFTY PEOPLE

PRESENT AT AIRPORT TO GREET HIM. GROUP COMPRISED OF APPROXIMATELY

FIFTEEN BLACKS AND THIRTYFIVE YOUNG WHITE HIPPIE-TYPE INDIVIDUALS.

VARIOUS SEGMENTS OF NEWS MEDIA INCLUDING TV ON SCENE AT AIRPORT.

SUBJECT HELD ^{IE} BRIEF PRESS CONFERENCE COMMENCING AT FIVE P.M. AT

AIRPORT. SUBJECT DID NOT OFFER ANY COMMENTS TO THE PRESS OTHER THAN

TO READ FROM A PREPARED TYPEWRITTEN STATEMENT CAPTIONED "PRESS

RELEASE, SEPTEMBER ELEVEN, NINETEEN SEVENTYONE, BLACK PANTHER

INTERCOMMUNAL NEWS SERVICE - FROM: THE CENTRAL COMMITTEE OF THE

BLACK PANTHER PARTY." THE PRESS RELEASE READS AS FOLLOWS: TO SEP 15 1971

END OF PAGE ONE

MR. SULLIVAN FOR THE DIRECTOR

55 SEP 22 1971

Arthur Ege
7-11-75

PAGE TWO

"THE CENTRAL HEADQUARTERS OF THE BLACK PANTHER PARTY WAS CONTACTED ⁹ SEPTEMBER TEN, NINETEEN SEVENTYONE BY THE OFFICE OF NEW YORK STATE ASSEMBLYMAN ARTHUR EVE, WHICH DELIVERED A MESSAGE FROM ONE TWO EIGHT ZERO OF OUR BROTHERS WHO ARE POLITICAL PRISONERS AT THE ATTICA STATE PRISON, AT ATTICA, NY. THE MESSAGE FROM THE POLITICAL PRISONERS IS THAT RUEY P. NEWTON, OF THE BLACK PANTHER PARTY, SERVANT OF THE PEOPLE, MUST, IN FACT, BE A KEY NEGOTIATOR IN BEHALF OF OUR INCARCERATED BROTHERS AND THEIR TWENTYSEVEN DEMANDS FOR BETTER PRISON CONDITIONS.

THE SAID PRISON GUARDS, CALLED 'HOSTAGES', HAVE ACTUALLY IN REALITY BEEN PLACED UNDER ARREST BY THE ONE TWO EIGHT ZERO PRISONERS, WHO ARE RIGHTFULLY REDRESSING THEIR GRIEVANCES CONCERNING: THEIR HARASSING, BRUTAL AND INHUMAN TREATMENT TO WHICH THEY ARE CONSTANTLY SUBJECTED.

THE NEW YORK STATE PRISON COMMISSION, THE COURTS, AND THE FEDERAL AND STATE GOVERNMENTS PROSECUTORS HAVE DELIBERATELY ALLOWED THE CREATION AND MAINTENANCE OF THE OPPRESSIVE AND ATROCIOUS CONDITIONS TO WHICH OUR ATTICA PRISON BROTHERS ARE SUBJECTED. ALSO,
END OF PAGE TWO

PAGE THREE

THE STATE HAS FOR TOO MANY YEARS WILLFULLY AND MALICIOUSLY IGNORED THE LEGAL AND LAWFUL REQUESTS AND REDRESSES OF GRIEVANCES FROM THE PRISONERS.

SOME THIRTYFIVE PRISON GUARDS ARE UNDER ARREST; AND THE STATE WANTS THOSE ARRESTED GUARDS TO BE BAILED OUT, ON THE PROMISE OF THE COURTS AND PRISON COMMISSION THAT THERE WILL BE NO REPRISALS IF THE ARRESTED GUARDS ARE RELEASED.

THE U.S. DISTRICT COURT ORDER, HOWEVER, THAT THERE WILL BE NO REPRISALS, IS QUITE FALLACIOUS AND IRRELEVANT ON ITS FACE, WHEN THE [REDACTED] ADDS THAT OUR PRISON BROTHERS WILL FACE 'OTHER' CRIMINAL CHARGES. TO FACE MORE CRIMINAL CHARGES MEANS, IN FACT, NOTHING ELSE OTHER THAN OUTRIGHT REPRISALS AGAINST OUR INCARCERATED BROTHERS. [REDACTED]

[REDACTED] THE COURTS AND PROSECUTORS ARE ACTING IN EXTREME BAD FAITH BY NOT GOING FORTH AND OBTAINING AN OFFICIAL NEW YORK STATE AND COURT - ORDERED AMNESTY: AMNESTY THAT THERE WILL BE NO REPRISAL WHATSOEVER IN THE FORM OF CRIMINAL CHARGES OR OTHERWISE. THIS IS THE FIRST THING THAT MUST BE DONE TO START NEGOTIATIONS OF THE PRISONERS TWENTYSEVEN DEMANDS. THIS IS THE ONLY BAIL THE ARRESTED GUARDS HAVE, FROM THE

END OF PAGE THREE

b7D

PAGE FOUR

ANALYSIS OF THE BLACK PANTHER PARTY.

THE ATTICA PRISON MOVE COMPOSED OF POLITICAL PRISONERS AND THE LIVES OF THIRTYFIVE ARRESTED POLICE GUARDS IN THE HANDS OF THE PRISONERS, IS A TACTICAL MOVE TOWARDS GOING FORWARD TO SHOW THE WORLD COMMUNITY PEOPLE HOW TO BEGIN TO END OPPRESION AND WRETCHED, UNJUST PRISON INCARCERATION.

SIGNED,

-CENTRAL COMMITTEE BLACK PANTHER PARTY"

PRESS CONFERENCE TERMINATED AT FIVE TWELVE P.M. AT WHICH TIME SEALE AND HIS AIDES DEPARTED IN A PRIVATELY OWNED AUTO APPARENTLY ENROUTE TO ATTICA PRISON.

SEALE DID NOT VOLUNTEER ANY INFO AS TO THE DURATION OF HIS STAY IN ATTICA, WHOM HE WOULD BE CONTACTING OR WHERE HE WOULD BE QUARTERED WHILE IN ATTICA.

END OF PAGE FOUR

PAGE FIVE

NO KNOWN LOCAL BLACK MILITANTS OBSERVED AT AIRPORT AND THERE WERE NO INCIDENTS.

UPON ARRIVAL AT ATTICA PRISON, SEALE WAS REFUSED ADMITTANCE BY PRISON AUTHORITIES ON GROUNDS AREA TOO CROWDED BY NUMEROUS NEGOTIATORS ALREADY INSIDE. OFFICIALS PRIVATELY EXPRESSED CONCERN SEALE MIGHT ATTEMPT TO INCITE PRISONERS TO FURTHER RIOTOUS ACTION IF ADMITTED.

ROCHESTER HOSPITAL AUTHORITIES HAVE REPORTED TO NEWS MEDIA THAT PRISON GUARD INJURED IN FIRST DAY OF RIOT HAS SUCCEDED TO HEAD INJURIES SUFFERED IN RIOT.

PRISONERS STILL HOLD THIRTY EIGHT HOSTAGES, HAVING RELEASED ONE GUARD TODAY WHO HAD SLIGHT HEART ATTACK AND HAS BEEN HOSPITALIZED.

PRIVATE INDIVIDUALS AND STATE OFFICIALS WHO HAVE BEEN ASKED TO NEGOTIATE WITH PRISONERS HAVE AGREED ON A FORMAT FOR PRESENTATION TO PRISONERS OF WHICH DEMANDS OF PRISONERS ARE ACCEPTABLE AND WHICH ARE NOT.

PRISON OFFICIALS DO NOT CONTEMPLATE USE OF FORCE AT PRESENT IN ORDER TO INSURE SAFETY OF HOSTAGES.

END OF PAGE FIVE

PAGE SIX

ADMINISTRATIVE

RENYTEL, SAN FRANCISCO TEL AND MYTEL TODAY.

SOURCES [REDACTED]
[REDACTED]
[REDACTED]

NYSP.

FOR INFO BUREAU, INFORMATION RE TRAVEL OF SEALE TO ATTICA
DISSEMINATED TO NYSP AND NYS CORRECTIONS OFFICIALS. LIAISON HAS BEEN
ESTABLISHED WITH [REDACTED] GOVERNOR ROCKEFELLER'S
NEW YORK OFFICE WHO IS AT SCENE . CLOSE LIAISON BEING MAINTAINED
WITH APPROPRIATE OFFICIALS.

SEALS 'S ARRIVAL AT BUFFALO COVERED BY BUAGENTS.

BUREAU WILL BE PROMPTLY ADVISED OF PERTINENT DEVELOPMENTS.

END

TRC FBI WCC

b6
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cc - Mr. Miller

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR003 BU CODE

SENT: 1:14AM 9-11-71 TMT

SEP 11 1971
/// PM URGENT 9-10-71 DAT

TELETYPE

TO DIRECTOR (ATTN: DID)

CHICAGO

NEW YORK

FROM BUFFALO (157-1367)

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Gale _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

RIOT BY INMATES NYS CORRECTIONAL FACILITY, ATTICA, N.Y.

EXTREMIST MATTER;

Attica State Prison, Attica, N.Y.

RELIABLE NYS CORRECTION OFFICIALS ADVISED TODAY AS FOLLOWS:

MIDDAY NEGOTIATION SESSION BY ADMINISTRATION OFFICIALS AND
INMATES ENDED WITHOUT PRODUCING RESULTS. INMATES CONTINUED TO
DEMAND NO PROSECUTION FOR RIOTERS ACTIONS AND COMPLAINED NO PER-
SONS REQUESTED BY THEM HAD BEEN BROUGHT TO PRISON. INMATES VILIFIED

LEADERSHIP.

CHARACTERIZED INMATES AS LACKING IN REAL

N.Y.

ATTORNEY WILLIAM KUNSTLER SCHEDULED TO ARRIVE BUFFALO, N.Y.

EIGHT THIRTY P.M., SEPT. TEN INSTANT, ENROUTE TO ATTICA.

AT THREE THIRTY P.M. TODAY [] ISSUED STATEMENT SAYING HE
HAD REQUESTED FOLLOWING PERSONS TO COME TO ATTICA JOINING OTHER
CITIZENS AND PUBLIC FIGURES WHO HAVE ALREADY BEEN OF ASSISTANCE
TO [] TO ASSIST IN COMMUNICATIONS WITH PRISONERS AND TO INSURE

PRISONERS WILL BE GIVEN FAIR TREATMENT:

10 SEP 15 1971

END PAGE ONE

54 SEP 21 1971

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/23/80 BY SP1GSK/DB/CA

PAGE TWO

U.S. REPRESENTATIVE HERMAN BADILLO, TWENTYFIRST CONGRESSIONAL
DISTRICT, NEW YORK CITY (NYC); NY.

NYS SENATOR ROBERT GARCIA, NYC; NY.

[REDACTED] "AMSTERDAM NEWS", AMSTERDAM, N.Y.;

[REDACTED] SCHOOL DISTRICT

NUMBER THREE, NYC; NY.

CHURCH OF CHRIST, NYC [REDACTED]

NYS GOVERNOR NELSON

A. ROCKEFELLER FOR URBAN AFFAIRS;

ALL OF ABOVE PERSONS WERE AT PRISON AT FOUR THIRTY P.M. TODAY
AND WERE CONFERRING WITH [REDACTED] NYS ASSEMBLYMAN EVE [REDACTED]
AND OTHER OFFICIALS.

ADMINISTRATIVE;

REMYTEL SEPT. TEN INSTANT AT SIX ZERO SEVEN P.M.

RE SAN FRANCISCO TELS SEPT. TEN INSTANT.

BUREAU WILL BE ADVISED OF PERTINENT DEVELOPMENTS.

END PAGE TWO

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PAGE THREE

CLOSE LIASON BEING MAINTAINED WITH APPROPRIATE NYS DEPARTMENT OF CORRECTION OFFICIALS AND NYSP AT SCENE. IN VIEW OF CURRENT CIRCUMSTANCES AT SCENE AND SINCE FULL SECURITY CANNOT BE GUARANTEED, ANY STATEMENTS BY KUNSTLER WILL NOT BE TAPE RECORDED. SUCH STATEMENTS WILL BE COVERED THROUGH AVAILABLE SOURCES AND REPORTED IN APPROPRIATE CASE FILE.

SOURCES UTILIZED ARE

[REDACTED]
[REDACTED]
[REDACTED], NEW YORK STATE POLICE.

END

DCW

FBI WASH DC

MR. TRAINOR
ROOM 712-A 9&D

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 11 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 004 SF CODE

4:17PM URGENT 9/11/71 CRH

TO: DIRECTOR
ALBANY
BUFFALO
NEW YORK

FROM: SAN FRANCISCO (157-)

RIOT AT ATTICA STATE PRISON, NEW YORK, EM

RE NEW YORK TELETYPE, SEPTEMBER ELEVEN, INSTANT.

SAN FRANCISCO HAS NO INFORMATION INDICATING BPP
CHAIRMAN, BOBBY SEALE OR THE TWO INDIVIDUALS TRAVELING
WITH HIM WERE ARMED WHEN THEY DEPARTED SAN FRANCISCO.

END

KPT FBI WASH

CLR

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/5/82 BY 4511/1

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REC- 45

54 SEP 21 1971

"cc to JCU
Adm. data deleted"

44-50605-14
20 SEP 14 1971

MR. TRAINOR
ROOM 712-A 9&D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 11 1971

TELETYPE

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Gale _____
Mr. Gander _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR021 NY CODE

845PM URGENT 9-11-71 JPM

TO DIRECTOR

BUFFALO

ALBANY

FROM NEW YORK (157-NEW)

RIOT AT ATTICA STATE PRISON NEW YORK, EM

REFERENCE SAN FRANCISCO AND NEW YORK TEL NINE ELEVEN SEVENTYONE.

ON SEPTEMBER ELEVEN, INSTANT, CONFIDENTIAL SOURCES ADVISED THAT
THEY KNEW OF NO MEMBERS OF THE CLEAVER FACTION OF THE BPP WHO PLAN
TO TRAVEL TO ATTICA, NEW YORK IN CONNECTION WITH SHOWING SUPPORT FOR
RIOTING PRISONERS.

ADMINISTRATION

CONFIDENTIAL SOURCES CONTACTS ARE

AND

END

TRC FBI WDC

REC-40 44-50605-15

EX-102

10 SEP 15 1971

MR. TRAINOR
ROOM 712-A 9th D

SEP 11 1971

NR001 BU CODE

TELETYPE

12-55PM URGENT 9-11-71 DJL

TO DIRECTOR ATTN DID

ALBANY

CHICAGO

NEW YORK

DETROIT

SAN FRANCISCO

FROM BUFFALO (157-1367) 4P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,

ATTICA, NEW YORK - EM.

State PRISON

RELIABLE SOURCES HAVE FURNISHED FOLLOWING INFO:

TEAM OF OBSERVERS, PREVIOUSLY IDENTIFIED, RE-ENTERED PRISON YARD TO CONFER WITH RIOTING INMATES ALONG WITH WILLIAM KUNTSLER AT ELEVEN THIRTYFIVE PM, SEPT. TEN, LAST. KUNTSLER DRIVEN FROM BUFFALO INTERNATIONAL AIRPORT TO ATTICA CORRECTIONAL FACILITY BY

BUFFALO UNIV. OBSERVERS JOINED

AT TWELVE FORTYFIVE AM, SEPT. ELEVEN, INSTANT BY

WHO ARRIVED WITH

END PAGE ONE

Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Gale
Mr. Ponder
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy
Mr. Miller

"cc to BU
Adm. Serv. Div."

57 SEP 24 1971

EX-103

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/23/80 BY SP1GSK/DJ/CA

For "Democrat Chronicle"

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PAGE TWO

FOR "DEMOCRAT CHRONICLE", DETROIT, MICHIGAN, [REDACTED]
CONSUL FOR YOUNG LORDS, NYC AND [REDACTED] STATE
UNIV. OF NY AT BUFFALO (SUNYAB), BUFFALO, NY.

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ALL OBSERVERS WITH EXCEPTION OF [REDACTED] [REDACTED]

[REDACTED] LEFT PRISON YARD FOUR TWENTYFIVE AM, SEPT.

ELEVEN AFTER CONFERRING WITH RIOTING INMATES. WHILE IN
PRISON YARD, KUNTSLER AGREED TO REPRESENT ALL RIOTING INMATES
AS THEIR ATTORNEY. AT FIVE THIRTY AM, INSTANT, [REDACTED]

[REDACTED] WERE PERSUADED BY OTHER OBSERVERS
TO LEAVE PRISON YARD. NYS SENATOR JOHN DUNN, ONE OF
OBSERVERS, ADVISED WHILE IN PRISON YARD, [REDACTED] DURING
HIGHLY EMOTIONAL AND INFLAMMATORY SPEECH TO RIOTING PRISONERS,
MADE STATEMENT THAT ALL WHITE MEN SHOULD BE KILLED.

AFTER LEAVING YARD AND RETURNING TO ADMINISTRATION
BLDG., ATTICA PRISON, [REDACTED] PLACED TELCAL IN EFFORT TO
CONTACT HUEY NEWTON AND TALKED TO [REDACTED] AND
ADVISED HER TO URGE NEWTON TO COME TO ATTICA, NY. AFTER

[REDACTED] CALLED NEWTON, ARTHUR EVE, STATE ASSEMBLYMAN,
BUFFALO, NY ADVISED OTHER MEMBERS OF TEAM OF OBSERVERS THAT
END PAGE TWO

PAGE THREE

HE RECEIVED CALL FROM NEWTON WHILE AT ATTICA ASKING HIM IF IT WAS SAFE TO COME TO ATTICA, EVE TOLD NEWTON HE WAS SURE OF HIS SAFETY.

TEAM LEFT ATTICA CORRECTIONAL FACILITY SEVEN THIRTY AM, INSTANT, TO RETURN TWELVE NOON AT WHICH TIME THEY AGREED TO PICK FIVE-MAN TEAM FROM OBSERVERS AND FIVE-MAN TEAM FROM RIOTING INMATES TO CONTINUE NEGOTIATIONS.

RIOTING PRISONERS DEMANDING CRIMINAL AMNESTY WHICH HAS BEEN REFUSED.

P.

ADMINISTRATIVE

REMYTEL, SEPT. TEN, LAST.

RE CG TEL, SEPT. TEN, LAST, CAPTIONED [REDACTED]

[REDACTED] AKA; ETAL (TRAVEL OF DEFENDANTS); ARL-
CONSPIRACY; OO: CHICAGO."

RELIABLE SOURCE ARE:

[REDACTED]

END PAGE THREE

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PAGE FOUR

[REDACTED]
[REDACTED] (NA), NYSP.

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IN VIEW OF STATEMENTS AND TRAVEL BY [REDACTED] MATTER WILL
BE DISCUSSED WITH USA, BUFFALO TO DETERMINE IF WARRANTS
FURTHER ACTION UNDER ARL STATUTE.

DETROIT FURNISH INDICES CHECK RE [REDACTED]
BUREAU WILL BE ADVISED OF PERTINENT DEVELOPMENTS.

END

EBR FBI WASH DC

CC - MR. TRAINOR
ROOM 712-A 9&D

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan CD	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TELETYPE

NR 004 SF CODE

10:25PM URGENT 9/12/71 CRH

TO: DIRECTOR (ATTN: DID)

ALBANY

BUFFALO (157-1367)

CHICAGO

DETROIT

NEW YORK

FROM: SAN FRANCISCO (157-)

RIGT AT ATTICA STATE PRISON, NEW YORK. EM.

FIRST SOURCE ADVISED ON EARLY EVENING OF SEPTEMBER TWELVE
INSTANT THAT AFTER BPP CHAIRMAN BOBBY SEALE ARRIVED BACK IN SAN
FRANCISCO BAY AREA FROM ATTICA PRISON (ASP) ON AFTERNOON

SEPTEMBER TWELVE INSTANT HE CONFERRED WITH BPP MINISTER OF
DEFENSE HUEY P. NEWTON AND BPP [REDACTED] AT NEWTON'S

APARTMENT IN OAKLAND CALIFORNIA. SEALE TOLD NEWTON AND [REDACTED]
THAT DURING HIS MEETING WITH THE PRISONERS IN ASP THE PRISONERS SAID
THEY WOULD NOT HARM THE GUARD HOSTAGES UNTIL SEALE RETURNED TO
ASP AND ^{TER MAKING} A TRIP TO OAKLAND TO CONFER WITH CENTRAL COMMITTEE
OF THE BPP.

END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/23/80 BY SP1GSK/DB/CA
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55 SEP 22 1971

10 SEP 15 1971

PAGE TWO

SF 157-)

A SECOND SOURCE REPORTED THAT SEALE HAD ATTEMPTED TO CONTACT ATTORNEY WILLIAM KUNSTLER AT ASP ON EVENING SEPTEMBER TWELVE INSTANT TO LET HIM KNOW SEALE WAS RETURNING TO ASP SO KUNSTLER COULD OBTAIN THE NECESSARY PERMISSION FROM ASP OFFICIALS FOR SEALE'S ENTRY INTO THE PRISON. KUNSTLER REPORTEDLY HAD DEPARTED ASP AND SEALE SPOKE WITH NEW YORK [REDACTED]

[REDACTED] ABOUT SEALE'S PLANNED RETURN TO ASP.

SECOND SOURCE ALSO REPORTED THAT SEALE WILL HOLD A PRESS CONFERENCE ON NIGHT OF SEPTEMBER TWELVE INSTANT, POSSIBLY AT HOME OF [REDACTED], DALY CITY CALIFORNIA PRIOR TO SEALE'S DEPARTURE FOR ASP. AT THIS PRESS CONFERENCE SEALE REPORTEDLY WILL READ A STATEMENT PREPARED BY SEALE, NEWTON, AND [REDACTED] IN WHICH SEALE WILL SAY HE RETURNED TO OAKLAND BECAUSE THE PRISONERS AT ASP WANTED HIM TO DELIVER A MESSAGE TO THE CENTRAL COMMITTEE OF THE BPP AND THAT HE (SEALE) IS RETURNING TO ASP WITH [REDACTED] STATEMENT WILL CONTINUE THAT DURING SEALE'S MEETING WITH THE PRISONERS THEY INSISTED THEY WOULD NOT KILL OR RELEASE ANY OF THE GUARDS UNTIL SEALE RETURNS AND THE PRISONERS DEMAND THAT ALL POLITICAL PRISONERS BE RELEASED FROM ASP AND FROM ALL ^{PRISONS} SUBBEGINN-
ING WITH BPP CHIEF OF STAFF DAVID HILLIARD, [REDACTED]

[REDACTED] CALIFORNIA, [REDACTED]

END PAGE TWO

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PAGE THREE

SF 157-)

[REDACTED] OR ELSE THEY WILL NOT RELEASE THE
GUARDS. SOURCE DOES NOT KNOW IF THE FOREGOING DEMAND WAS ACTUALLY
MADE BY THE PRISONERS OR IF THIS WAS CONSTRUCTED BY SEALE, NEWTON,
[REDACTED] DURING THEIR CONFERENCE AFTER SEALE'S RETURN.

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A THIRD SOURCE ADVISED THAT [REDACTED] SEALE [REDACTED]
SEALE'S [REDACTED] HAVE RESERVATIONS TO DEPART SAN FRANCISCO
INTERNATIONAL AIRPORT AT TWELVE ZERO FIVE A.M. SEPTEMBER THIRTEEN
NEXT ON AMERICAN AIRLINES (AA) FLIGHT ONE TWO TWO TO ARRIVE DETROIT
MICHIGAN AT SIX ZERO EIGHT A.M. THEY WILL CATCH CONNECTING AA
FLIGHT FOUR ONE SIX DEPARTING DETROIT AT SEVEN TEN A.M. ARRIVING:
BUFFALO AT EIGHT FIVE EIGHT A.M. SEPTEMBER THIRTEEN NEXT.

ADMINISTRATIVE:

RE SFTEL SEPTEMBER TWELVE INSTANT AND BUFFALO TELCALL SAME
DATE.

FIRST SOURCE IS [REDACTED]

SECOND SRC [REDACTED]

THIRD SOURCE IS [REDACTED]

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AA SAN FRANCISCO.

SAN FRANCISCO WILL FOLLOW ACTIVITIES OF SEALE AND WILL ADVISE
IF SEALE DEPARTS SAN FRANCISCO FOR BUFFALO.

END

DCW

FBI WASH DC

cc — MR. TRAINOR
ROOM 712-A 9&D

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gale	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 003 SF CODE

4:48PM NITEL 9/12/71 CRH

TO: DIRECTOR

BUFFALO

CHICAGO

FROM: SAN FRANCISCO (157-)

RIOT AT ATTICA STATE PRISON, NEW YORK, EN.

BPP CHAIRMAN BOBBY SEALE AND TWO TRAVELING COMPANIONS

ARRIVED SAN FRANCISCO INTERNATIONAL

AIRPORT ON UNITED AIRLINES FLIGHT ONE TWO ONE FROM CHICAGO, ILLINOIS, AT THREE TEN P.M., SEPTEMBER TWELVE INSTANT, AND WERE MET BY TWO BLACK MALES RIDING IN KNOWN BPP AUTOMOBILE. NO NEWS MEDIA REPRESENTATIVES MET SEALE AT AIRPORT AND THUS NO STATEMENTS BY HIM AFTER HIS ARRIVAL AT SAN FRANCISCO.

ADMINISTRATIVE:

RESTTEL SEPTEMBER ELEVEN LAST AND BUFFALO TELEPHONE CALL TO SAN FRANCISCO TWELVE INSTANT.

ARRIVAL OF ABOVE INDIVIDUALS OBSERVED BY SA

END

TRC FBI WDC

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/6/82 BY SP5jg/rp

15 SEP 15 1971

MR. TRAINOR
ROOM 712-A 9&D

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b7C

NO 001 BU CODE

10:40 PM URGENT 9-12-71 DAT

TO DIRECTOR (ATTN: DID)

SAN FRANCISCO

FROM BUFFALO (157-1367)

ATTICA STATE PRISON

RIOT BY INMATES, NEW YORK STATE (NYS) CORRECTIONAL FACILITY

ATTICA, N.Y. EXTREMIST MATTER;

FOLLOWING IS SUMMARY OF INFORMATION TO DATE:

ON EVENING OF SEPT. EIGHT LAST, FIGHT OCCURRED BETWEEN ONE
BLACK AND ONE WHITE AT CAPTIONED FACILITY WHICH IS MAXIMUM
SECURITY PRISON. BLACK INMATE [REDACTED] PLACED IN
SOLITARY CONFINEMENT.

DURING NIGHT, RUMOR SPREAD THROUGHOUT PRISON [REDACTED] HAD
BEEN ASSAULTED BY GUARDS. ON MORNING OF SEPT. NINE LAST, INMATES
REFUSED TO GO TO BREAKFAST OR WORK ASSIGNMENTS AND RIOT ERUPTED.
BY TWO P.M., PRISONERS, NUMBERING APPROX. TWELVE HUNDRED, WERE IN
CONTROL OF CELLBLOCKS B AND D OF PRISON WHILE AUTHORITIES CON-
TROLLED THREE OTHER CELLBLOCKS AND THEIR INMATES. APPROX. FORTY-
FOUR GUARDS AND CIVILIAN EMPLOYEES TAKEN AS HOSTAGES. EIGHT GUARDS
BEATEN AND INJURED DURING INITIAL STAGES OF RIOT. ONE GUARD
SUBSEQUENTLY SUCCEEDED TO HEAD INJURIES ON SEPT. ELEVEN LAST.

PRISON INMATE POPULATION OF APPROXIMATELY TWELVE HUNDRED AND
FIFTY IS FIFTYFIVE PERCENT BLACK AND

FORTYFIVE PERCENT WHITE. RIOTERS CONSIST OF EIGHTY PERCENT BLACK
AND TWENTY PERCENT WHITE WITH PRINCIPAL LEADERS BEING BLACK.

PRELIMINARY ESTIMATE OF TWO HUNDRED DOLLARS IN PROPERTY DAMAGE DUE TO
ARSON AND OTHER ACTS HAS BEEN MADE.

END PAGE ONE

ENCLOSURE

cc to HQU, [REDACTED] Included in summary to White House
Adm. [REDACTED] Attorney General. Date [REDACTED]

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

Mr. Cleveland

McDonough

T. [REDACTED]

Stacy

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SEP 17 1971

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FBI

EX-102

EX-102

PAGE TWO

RIOTING PRISONERS POSSESSED TEAR GAS EQUIPMENT AND OTHER CONTRABAND WEAPONS SUCH AS TOOLS AND THREATENED TO KILL A HOSTAGE FOR EVERY SHOT FIRED AT THEM. APPROX. SIX HUNDRED SEVENTYFIVE LAW ENFORCEMENT OFFICERS MOBILIZED TO ASSIST PRISON AUTHORITIES.

INITIAL DEMANDS OF RIOTERS TO OBTAIN RELEASE OF HOSTAGES INCLUDED GUARANTEE OF NO REPRISALS AND TRANSPORTATION OF ALL BLACK PRISONERS TO A NEUTRAL COUNTRY. LATER DAMANDED REMOVAL OF [REDACTED]

[REDACTED] ALSO DEMANDED HUEY NEWTON, MINISTER OF DEFENSE FOR BLACK PANTHER PARTY (BPP) BE BROUGHT IN TO ADDRESS INMATES.

U.S. District Court

WESTERN DISTRICT, NEW YORK

USDC JUDGE JOHN T. CURTIN, WBNY, ISSUED COURT ORDER SEPT. TEN

LAST ORDERING NO ADMINISTRATIVE ACTION BE TAKEN AGAINST PRISONERS WITH CONSENT OF DEFENDANTS. GOV. NELSON ROCKEFELLER, COMMISSIONER OF CORRECTIONS RUSSELL G. OSWALD AND [REDACTED] CORRECTIONS OFFICIALS REFUSE TO GUARANTEE NO CRIMINAL PROSECUTION OF RIOTERS.

PRISONERS ALSO DEMANDED CERTAIN NAMED INDIVIDUALS BE APPOINTED AS COMMITTEE TO INSURE NO ADMINISTRATIVE REPRISALS TAKEN.

THOSE NAMED INCLUDED "CHICAGO SEVEN" ATTORNEY WILLIAM KUNSTLER, BLACK NYS ASSEMBLYMAN ARTHUR O. EVE OF BUFFALO; [REDACTED] OF

THE "AMSTERDAM NEWS", NYC; [REDACTED] OF THE "NEW YORK TIMES";

[REDACTED] OF THE "DEMOCRATIC CHRONICLE", DETROIT, MICH.; [REDACTED]

NATION OF

ISLAM, NYC. ALSO DEMANDED WERE REPRESENTATIVES OF THE BPP, THE

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PAGE THREE

PRISONERS SOLIDARITY COMMITTEE, A PUBLICLY IDENTIFIED AFFILIATE OF YOUTH AGAINST WAR AND FASCISM, AND "PALENTE", THE OFFICIAL PUBLICATION OF THE YOUNG LORDS PARTY IN NYC.

CORRECTION AUTHORITIES WERE JOINED IN ATTEMPTS TO NEGOTIATE PRISONER DEMANDS BY REPRESENTATIVES OF GOV. ROCKEFELLER, A NUMBER OF NYS LEGISLATORS, REPRESENTATIVES OF LOCAL CIVIL RIGHTS AND MINISTERIAL GROUPS, KUNSTLER, [REDACTED]

[REDACTED] BUFFALO LAW SCHOOL, AND CONGRESSMAN HERMAN BAD-
ILLO, TWENTYFIRST CONGRESSIONAL DISTRICT, NYC, AMONG OTHERS.

ON SEPT. ELEVEN LAST, BOBBY SEALE, CHAIRMAN OF THE ~~BPP~~ ^{BLACK PANTHER PARTY} ARRIVED AT PRISON FROM SAN FRANCISCO. AT PRESS CONFERENCE ON ARRIVAL IN BUFFALO, SEALE CHARACTERIZED DEMANDS OF PRISONERS AS "BAIL" REQUIRED FOR RELEASE OF "ARRESTED" HOSTAGES.

AFTER INITIALLY BEING REFUSED ADMITTANCE, SEALE SUBSEQUENTLY PERMITTED TO TALK TO PRISONERS FOR SEVERAL MINUTES AND THEN DEPARTED. RETURNED TO PRISON ON SEPT. TWELVE INSTANT BUT TALKED ONLY TO ADMINISTRATION REPRESENTATIVES. SEALE LEFT BUFFALO FOR SAN FRANCISCO THIS MORNING.

NEGOTIATIONS TO RELEASE HOSTAGES UNPRODUCTIVE TO DATE SINCE PRISON AUTHORITIES WILL NOT GRANT CRIMINAL PROSECUTION IMMUNITY NOR REMOVE [REDACTED] ALTHOUGH GUARANTEEING NO ADMINISTRATIVE ACTION AGAINST RIOTERS.

END PAGE THREE

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PAGE FOUR

AS OF TEN P.M. TODAY, NEGOTIATIONS CONTINUE WITH PRISONERS WHO NOW REQUEST PERSONAL APPEARANCE OF GOVERNOR ROCKEFELLER. NO COMMITMENT MADE BY GOVERNOR OR MEMBERS OF STAFF.

BUREAU WILL BE KEPT ADVISED OF PERTINENT DEVELOPMENTS.

END

TRC FBI WD

CC- MR. TRAINOR
ROOM 712-A 9&D

Domestic Intelligence Division

SUMMARY

INFORMATIVE NOTE

Date 9/13/71

Attached relates to the prisoner mutiny at Attica State Prison, New York, where inmates have held guards hostage since 9/9/71. Majority of mutinous prisoners is black. Long list of unreasonable demands submitted as terms for release of hostages. State Officials bowed to many of the unrealistic demands, but have refused to grant criminal amnesty. In this connection one guard died from injuries inflicted by the inmates.

State Officials have permitted a parade of revolutionary extremists to visit the prisoners to "negotiate" a settlement and secure release of the hostages. Included have been convicted Black Panther cutthroat, Bobby Seale, black [redacted]

[redacted] and convicted shyster and mouthpiece for New Left extremists, William Kunstler. Ridiculous demands include release of all prisoners throughout the country, particularly [redacted] and jailed Black Panther leaders.

It is obvious that New York State Officials have lost control of the situation at Attica. After acceding to impossible demands the guards are still hostages. Late news reports indicate, however, that officers may now be ready to storm the prison to regain control.

Pertinent developments being included in Summary to White House, Attorney General, Secret Service and military. Copies being given to Inter Division Intelligence Unit of Department.

TJS:ts

ENCLOSURE 44-50605-19

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE

4/5/02 BY SP5 JGP/SP

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

NR 001 SF CODE

149AM URGENT 9-13-71 MXH

TELETYPE

TO DIRECTOR (ATTN: DID)
ALBANY BUFFALO (157-1367)
CHICAGO DETROIT
NEW YORK
FROM SAN FRANCISCO (157-1969)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/5/82 BY SP5 JGR/

RIOT AT ATTICA STATE PRISON, NEW YORK EM.

IN ITS ELEVEN P.M. NEWS PROGRAM ON SEPTEMBER TWELVE LAST,
TELEVISION STATION KPIX REPORTED THAT BPP CHAIRMAN BOBBY SEALE
HAD HELD A PRESS CONFERENCE AT THE HOME OF BPP [REDACTED]

[REDACTED] ON NIGHT OF SEPTEMBER TWELVE AT WHICH SEALE TOLD OF HIS
MEETING WITH THE PRISONERS IN ATTICA STATE PRISON (ASP). A
PORTION OF THE PRESS CONFERENCE WAS BROADCAST VIA VIDEOTAPE
WHICH INCLUDED SEALE STATING THAT PRISONERS IN ASP WANT ALL
PRISONERS WHO WANT TO LEAVE THEIR PRISONS TO BE RELEASED,
AND THEY WANT ALL POLITICAL PRISONERS AROUND THE COUNTRY TO BE RELEASED,
AND THAT THEY SPECIFICALLY WANTED [REDACTED] BPP CHIEF OF STAFF
DAVID WILLIARD, [REDACTED] AND OTHER
POLITICAL PRISONERS WHOSE NAMES HE COULD NOT THEN RECALL RELEASED.
SEALE STATED THE PRISONERS SAID THAT IF THE POLITICAL PRISONERS
ARE NOT RELEASED AND IF ANYTHING HAPPENS TO THE GUARDS THE STATE

END PAGE ONE

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Gale _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

b6
b7C

4

6

6 SEP 16 1971

SEP 21 1971

PAGE TWO

SP 157-1969

PRISON WOULD BE GUILTY OF MURDER AND MUST BE CHARGED TOO WITH MURDER.

SEALE WAS ASKED IF HE DID NOT THINK THIS DEMAND BY THE PRISONERS WAS A LITTLE UNREALISTIC SINCE SOME OF THE PEOPLE MENTIONED ARE IN JAIL IN CALIFORNIA AND ARE NOT UNDER THE JURISDICTION OF THE STATE OF NEW YORK AND HE REPLIED THAT ANY DECISION IN THAT REGARD IS LEFT UP TO THE PRISONERS AND THEY MIGHT NOT THINK IT IS UNREALISTIC.

[REDACTED] WAS ASKED WHAT HIS ROLE WOULD BE WHEN HE ACCOMPANIED SEALE TO [REDACTED] ANSWERED THAT THE CENTRAL COMMITTEE OF THE BPP MET AFTER SEALE'S RETURNED TO OAKLAND DURING AFTERNOON OF SEPTEMBER TWELVE AND THAT THE CENTRAL COMMITTEE THEN CONTACTED HIM AND ASKED IF HE WOULD ACCOMPANY SEALE TO ASP TO MAKE CERTAIN THAT THE INMATES WILL HAVE REPRESENTATION, BOTH POLITICALLY AND LEGALLY ON BEHALF OF THEMSELVES BY THE BPP. IT WAS ALSO REPORTED [REDACTED] SAID THAT NEW YORK GOVERNOR NELSON ROCKEFELLER WAS GUILTY OF MISFEASANCE IN OFFICE FOR HIS REFUSAL TO TALK WITH THE INMATES AND GRANT THEM AMNESTY AND FOR HIS PART IN PERPETUATING THE CONDITIONS IN THE PRISON.

END PAGE TWO

b6
b7C

PAGE THREE

SF 157-1969

SEALE [] DEPARTED SAN FRANCISCO AIRPORT
ON AMERICAN AIRLINES FLIGHT ONE TWO TWO AT TWELVE ZERO FIVE AM
SEPTEMBER THIRTEEN SEVENTY ONE IN ROUTE TO BUFFALO NEW YORK AS
PREVIOUSLY REPORTED.

ADMINISTRATIVE

RE SF TELS SEPTEMBER TWELVE LAST.

AGENTS WHO OBSERVED DEPARTURE OF SEALE [] ARE

[]
BUFFALO FOLLOW REPORT ACTIVITIES OF SEALE []
WHILE WITHIN THAT DIVISION.

END

FBI WA DCW

cc —
MR. DAY
ROOM 1010 9&D

MR. TRAINOR
ROOM 712-A 9&D

b6
b7C

b6
b7C

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/13/71

Attached relates to prison uprising at Attica, New York, and, among other details, states that 40 deaths have occurred at the prison. Nine hostages were killed by knives and 31 inmates killed. Law enforcement officers have secured control of the prison.

Pertinent portions of attached being furnished President, Attorney General, the military, Secret Service, and other interested agencies of government by teletype today..

JFM:CSH

LT
PSP
7JFM
AD

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

TELETYPE

NR 003 BU CODE

4:17 PM URGENT 9-13-71 AMS

TO DIRECTOR ATTENTION DID

FROM BUFFALO (157-1367) 2P

Attica State Prison
RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,
NY, EXTREMIST MATTERS

Mr. Tolson	✓
Mr. Felt	✓
Mr. Sullivan	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Brennan	CD
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Gale	
Mr. Ponder	✓
Mr. Rosen	✓
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

Miller, E.S.
Mr. Cleveland

A ~~RELIABLE~~ SOURCE ADVISED TODAY AS FOLLOWS:

SECRET
FOLLOWING ASSAULT BY NEW YORK STATE POLICE ON RIOTOUS INMATES
IN PRISON, ~~SOME~~ PERSONS DEAD. DEAD INCLUDE NINE HOSTAGES KILLED
BY KNIVES AND ~~THIRTY~~ ONE INMATES. FOUR NEW YORK STATE POLICEMEN
INJURED. NUMEROUS ~~INMATES~~ INMATES INJURED, WITH FIFTY HOSPITALIZED, AND
AN ESTIMATED ONE HUNDRED FIFTY ON STRETCHERS AWAITING ADMISSION TO
HOSPITAL. REMAINING ~~TWENTY~~ NINE HOSTAGES HOSPITALIZED FOR GAS AND
MINOR INJURIES. *SECRET*

ST 104

REC-45

LAW ENFORCEMENT OFFICERS HAVE SECURED CONTROL OF PRISON

INCLUDING CELL BLOCKS "B" AND "D", FORMERLY HELD BY RIOTERS.

INMATES CURRENTLY BEING STRIP-SEARCHED AND SEARCH OF FACILITY

BEING MADE FOR CONTRABAND. FIVE HUNDRED PRISONERS BEING TRANSFERRED

TODAY TO GREEN HAVEN CORRECTIONAL FACILITY, WESTCHESTER CO., NY.

ASSAULT FORCE OF LAW ENFORCEMENT OFFICERS INCLUDED SIX

END PAGE ONE

Included in *TELETYPE* summary to White House
and Attorney General. Date 9/13/71

54 SEP 13 1971

MR. [illegible]

PAGE TWO

BU 157-1367

HUNDRED NYSP TROOPERS ASSISTED BY ESTIMATED THREE TO FOUR HUNDRED
DEPUTY SHERIFFS AND FOUR HUNDRED NEW YORK STATE NATIONAL GUARDSMEN.
NO ADDITIONAL ESTIMATE AVAILABLE FOR PROPERTY DAMAGE OTHER THAN
ORIGINAL ESTIMATE OF TWO MILLION DOLLARS.

ADMINISTRATIVE

REMYTELS AND TELCALLS TODAY.

RELIABLE SOURCE IS

BUREAU WILL BE PROMPTLY ADVISED OF FULL DEVELOPMENTS.

END

GXC FBI WASHDC

b6
b7C
b7D

cc: haw miller

TREAT AS YELLOW

FBI

Date: 9/13/71

☐ IMMEDIATE

☐ URGENT

☐ NITEL (Field only)

Priority

Transmit the message that follows by coded teletype:

TO: ☒ THE PRESIDENT

FIELD DISSEMINATION

☒ THE VICE PRESIDENT

☐ ATT.:

☐ WHITE HOUSE SITUATION ROOM

☐ ATT.:

☐ SECRETARY OF STATE

☐ DIRECTOR

☒ DIRECTOR, DEFENSE INTELLIGENCE AGENCY

☐ AND NATIONAL INDICATIONS CENTER

☒ DEPARTMENT OF THE ARMY

☒ DEPARTMENT OF THE AIR FORCE

☒ NAVAL INVESTIGATIVE SERVICE

☒ U. S. SECRET SERVICE (PID)

☒ ATTORNEY GENERAL (BY MESSENGER)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

545 PEBR
TELETYPE

☐

Attica State Prison - Attica, N.Y.

From: DIRECTOR, FBI

Classification: *Unclassified*

Subject: *Prison Uprising at Attica, New York*

44-50605-*REC 44-50605-14*
ST 104

(Text of message begins on next page.)

SEP 15 1971

28 SEP 15 1971

Approved

M X
G M
B

Tolson _____
Felt _____
Sullivan _____
Mohr _____
Bishop _____
Brennan, C.D. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
DeLoach _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

54 SEP 21 1971

TELETYPE UNIT ☒

JB 05 5:23PM 9-15/71 RSC

PLAINTEXT PRIORITY

TO: THE PRESIDENT

TO: THE VICE PRESIDENT

TO: DIRECTOR, DEFENSE INTELLIGENCE AGENCY

TO: DEPARTMENT OF THE ARMY

TO: DEPARTMENT OF THE AIR FORCE

TO: NAVAL INVESTIGATIVE SERVICE

TO: U. S. SECRET SERVICE (PID)

TO: ATTORNEY GENERAL (BY MESSENGER)

TO:

b7E

FROM: DIRECTOR, FBI

UNCLASSIFIED

PRISON UPRISING AT ATTICA, NEW YORK

PRISON UPRISING AT ATTICA, NEW YORK: AS OF TWO
TWENTYEIGHT P.M. TODAY, PRISON AT ATTICA, NEW YORK, WAS
END PAGE ONE

PAGE TWO UNCLASSIFIED

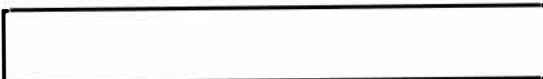
SECURED BY POLICE AUTHORITIES. TOTAL OF FORTY KILLED, NINE OF WHOM WERE HOSTAGES. HOSTAGES ALL DIED OF KNIFE WOUNDS TO THROAT. THIRTYONE INMATES KILLED. REMAINING HOSTAGES, TOTALING TWENTYNINE, ALL REMOVED TO HOSPITAL AND BEING TREATED FOR EXPOSURE TO GAS AND ASSORTED INJURIES. FOUR NEW YORK POLICE OFFICERS INJURED. FIFTY PRISON INMATES PRESENTLY BEING GIVEN TREATMENT FOR INJURIES AT PRISON HOSPITAL. AN ESTIMATED ONE HUNDRED FIFTY MORE PRISON INMATES ARE ON STRETCHERS AWAITING MEDICAL TREATMENT.

REPORTEDLY FIVE HUNDRED OF INMATES PRESENTLY AT PRISON ARE BEING TRANSFERRED TODAY TO GREENHAVEN, NEW YORK, STATE PRISON FACILITY IN WESTCHESTER COUNTY, NEW YORK. FORCE EMPLOYED TO SECURE PRISON INCLUDED SIX HUNDRED STATE TROOPERS, THREE TO FOUR HUNDRED DEPUTY SHERIFFS, AND FOUR HUNDRED MEMBERS OF NEW YORK STATE NATIONAL GUARD. POLICE AUTHORITIES REMAIN ON DUTY TO MAINTAIN PRISON SECURITY. TOTAL DAMAGE TO THIS PRISON NOT PRESENTLY KNOWN, BUT ESTIMATED IN EXCESS OF TWO MILLION DOLLARS.

BT

NNNN

APPROVED BY SA

A rectangular box with a black border, used to redact a signature or name.

KPT

FBI WA

b6
b7C

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

TELETYPE

545 PM 9-13-71 EBR

PRIORITY

TO: THE PRESIDENT 004

TO: THE VICE PRESIDENT

TO: DIRECTOR, DEFENSE INTELLIGENCE AGENCY 004

TO: DEPARTMENT OF THE ARMY 004

TO: DEPARTMENT OF THE AIR FORCE 004

TO: NAVAL INVESTIGATIVE SERVICE 004

TO: U. S. SECRET SERVICE (PID) 004

TO: ATTORNEY GENERAL (BY MESSENGER)

TO:

FROM: DIRECTOR, FBI

b7E

UNCLASSIFIED

PRISON UPRISING AT ATTICA, NEW YORK

PRISON UPRISING AT ATTICA, NEW YORK: AS OF TWO
TWENTYEIGHT P.M. TODAY, PRISON AT ATTICA, NEW YORK, WAS
END PAGE ONE

PAGE TWO

UNCLASSIFIED

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BT

NNNN

NIS PLS ACK 004

DE NIS AND ACK NR FOUR IMI ACK NR 004 CUL AR /GO

SS PLS ACK FPR 004

AND FBI ZEV 004

ARMY PLS ACK 004

ARMY ACKS FOR FBI NR004

M

DIAVACK PER PHONE CALL 023

OSI ACK PER PHONE CALL JT

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

TELETYPE

546PM 9-13-71 EBR

PRIORITY

TO: THE PRESIDENT
TO: THE VICE PRESIDENT
TO: DIRECTOR, DEFENSE INTELLIGENCE AGENCY
TO: DEPARTMENT OF THE ARMY
TO: DEPARTMENT OF THE AIR FORCE
TO: NAVAL INVESTIGATIVE SERVICE
TO: U. S. SECRET SERVICE (PID)
TO: ATTORNEY GENERAL (BY MESSENGER)
TO:

b7E

FROM: DIRECTOR, FBI

UNCLASSIFIED

PRISON UPRISING AT ATTICA, NEW YORK

PRISON UPRISING AT ATTICA, NEW YORK: AS OF TWO
TWENTYEIGHT P.M. TODAY, PRISON AT ATTICA, NEW YORK, WAS
END PAGE ONE

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BT

NNNN

QSL

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

TELETYPE

NR 004 BU CODE

9:01 PM URGENT 9-13-71 DAT

TO DIRECTOR (ATTN: DID) URGENT
NEW YORK
CHICAGO

SAN FRANCISCO (NY, CG, SF) NITEL

FROM BUFFALO (157-1367) 3P

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/5/82 BY SP5/ghr

Mr. Tolson ☒
Mr. Felt ☒
Mr. Sullivan ☒
Mr. Mohr ☒
Mr. Bishop ☒
Mr. Brennan ☒
Mr. Callahan ☒
Mr. Casper ☒
Mr. Conrad ☒
Mr. Dalbey ☒
Mr. Gale ☒
Mr. Rosen ☒
Mr. Tavel ☒
Mr. Walters ☒
Mr. Soyars ☒
Tele. Room ☒
Miss Holmes ☒
Miss Gandy ☒
Miller ☒

RIOT BY INMATES, NEW YORK STATE (NYS) CORRECTIONAL FACILITY,
ATTICA, N.Y. EXTREMIST MATTER.

NEW YORK STATE
A NYS POLICE SOURCE ADVISED THAT AS OF FOUR FIFTEEN PM TODAY

NINE HOSTAGES AND THIRTYFIVE INMATES WERE DEAD FOLLOWING POLICE
ASSAULT ON RIOTERS IN PRISON. TWELVE OR THIRTEEN ADDITIONAL INMATES
WERE NOT EXPECTED TO LIVE. ANOTHER NINETYTWO OR NINETYTHREE INMATES
ARE INJURED, EXACT CONDITION UNKNOWN AS YET. NEWSPAPER ARTICLE IN-
DICATES ALL HOSTAGES KILLED HAD THROATS SLIT AND SOME HAD BEEN CAS-
TRATED.

AT PRESS CONFERENCE HELD TODAY AT HOME OF

BOBBY SEALE, CHAIRMAN OF BLACK PANTHER.

PARTY (BPP) ACCUSED GOV. NELSON A.
ROCKEFELLER OF GUILT IN KILLINGS AT ATTICA SINCE ROCKEFELLER WOULD
NOT GO TO PRISON TO DISCUSS MATTER, ACCORDING TO NEWS MEDIA.

A RELIABLE SOURCE ADVISED TODAY THAT SEALE DEPARTED
BUFFALO INTERNATIONAL AIRPORT FIVE EIGHTEEN PM, EST, TODAY ON

END PAGE ONE

Adm. data deleted

Included in summary to White House
and Attorney General. Date 9-16-71

b6
b7C
b7D

PAGE TWO

UNITED AIRLINE FLIGHT THREE EIGHT NINE ARRIVING CHICAGO, ILL., FIVE FOURTY PM CST. THEY ARE SCHEDULED TO LEAVE CHICAGO SIX FIFTEEN PM ON UNITED AIRLINE^S FLIGHT ONE THREE ONE AND ARRIVE SAN FRANCISCO, CALIF., EIGHT THIRTYFIVE PM, PST, TODAY.

A THIRD RELIABLE SOURCE ADVISED TODAY THAT "CHICAGO SEVEN" ATTORNEY WILLIAM~~X~~ KUNSTLER IS ^{N.Y.} SCHEDULED TO ADDRESS RALLY IN SUPPORT OF PRISONERS ON CAMPUS OF STATE UNIVERSITY OF NEW YORK AT BUFFALO AT EIGHT PM TONIGHT.

BY SUITABLE PRETEXT, IT WAS ASCERTAINED NO BUSES DEPARTED HEADQUARTERS OF ~~X~~BUILD ~~X~~BUILD UNITY INDEPENDENCE LIBERTY DIGNITY), ^{N.Y.} LOCAL CIVIL RIGHTS GROUP, FOR ATTICA TODAY BUT THAT ORGANIZATION WOULD HOLD EXECUTIVE BOARD MEETING THIS EVENING.

SCHEDULED FOUR PM RALLY AT NIAGARA SQUARE, BUFFALO, SPONSORED BY ~~X~~AD HOC COMMITTEE TO SUPPORT ATTICA PRISONERS, ~~X~~BUFFALO RIGHTS ACTION GROUP, LOCAL CIVIL RIGHTS GROUP, AND BUFFALO CHAPTER OF NATIONAL LAWYERS GUILD, FAILED TO MATERIALIZE. HOWEVER, AT FOUR PM TODAY A CROWD OF APPROX. ONE HUNDRED FIFTY PERSONS ATTENDED RALLY IN LAFAYETTE SQUARE, BUFFALO, NY, SPONSORED BY ^{N.Y.}PRISONERS SOLIDARITY COMMITTEE OF BUFFALO CHAPTER, YAWF TO HEAR SPEAKERS WHO WERE OFFERING SUPPORT OF PRISONERS AT ATTICA STATE PRISON. BUFFALO CHAPTER YOUTH AGAINST WAR AND FASCISM (BC, YAWF) IS THE YOUTH GROUP

END PAGE TWO

PAGE THREE

OF BUFFALO BRANCH, WORKERS WORLD PARTY (BB, WWP). RALLY WAS
ADDRESSED BY WILLIAM KUNSTLER AND [REDACTED] OF PRISONERS SOLID-
ARITY COMMITTEE OF NEW YORK CITY, WHO WERE MEMBERS OF NEGOTIATING:
COMMITTEE AT ATTICA STATE PRISON. ^{N.Y.}

b6
b7C
b7D

WHEN BUFFALO POLICE ATTEMPTED TO STOP SPEAKERS FROM USING
LOUD SPEAKER WITHOUT PERMIT, PARTICIPANTS INTERFERED WITH POLICE
OFFICERS AND MELEE ERUPTED. POLICE DISPERSED GATHERING. APPROX.
TWELVE DASH THIRTEEN DEMONSTRATORS ARRESTED. TWO POLICEMEN REC-
EIVED MINOR INJURIES. NO INFO AVAILABLE AS YET RE POSSIBLE INJUR-
IES TO DEMONSTRATORS.

-----ADMINISTRATIVE-----

REMYTELS AND TELEPHONE CALLS TODAY. RE CHICAGO TEL TODAY
CAPTIONED [REDACTED] AKA, ETAL (TRAVEL OF DEFENDANTS);
ARL-CONSPIRACY; COC;" RE BUFFALO TELCALL TO SAN FRANCISCO
TODAY.

b6
b7C

[REDACTED]
SECOND SOURCE IS [REDACTED]

b6
b7C
b7D

UNITED AIRLINES, BUFFALO INTL. AIRPORT. (BY REQUEST).

THIRD SOURCE IS FORMER [REDACTED]

RALLY AT LAFAYETTE SQUARE OBSERVED BY BUREAU AGENTS.

END

cc MR. TRAINOR
ROOM 712-A 9&D
EBM FBI WA CLR

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

TELETYPE

NR 002 BU CODE

1:53PM URGENT 9-13-71 AMS

TO DIRECTOR ATTENTION DOMESTIC INTELLIGENCE DIVISION

FROM BUFFALO (157-1367) 3P

① Attica State Prison

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,

NY, EXTREMIST MATTER.

AS OF TWELVE NOON TODAY EFFORTS STILL BEING MADE BY STATE
AUTHORITIES AND NATIONAL GUARD PERSONNEL TO SECURE AREAS HELD BY
INMATES. THIRTY TWO HOSTAGES HAVE BEEN FREED, SEVEN OF WHOM
ARE DEAD. SIX HOSTAGES STILL UNACCOUNTED FOR. NATIONAL GUARD
TROOPS ON HAND INCLUDE THREE HUNDRED MEDICAL CORPS PERSONNEL.
REQUEST HAS BEEN MADE FOR ALL AVAILABLE AREA AMBULANCES TO REPORT
TO SCENE. UNKNOWN NUMBER OF CONVICTS HAVE BEEN INJURED.

LOCAL NEWS MEDIA BROADCASTS INDICATE EIGHT HOSTAGES WERE
DEAD AFTER HAVING THROATS SLIT AND THAT A TOTAL OF THIRTY THREE
HOSTAGES HAVE BEEN ACCOUNTED FOR. PRISONERS STILL HOLD "D" BLOCK
IN PRISON, HAVING BARRICADED SELVES IN AND ARE RESISTING ASSAULTS
ON BUILDING BY POLICE OFFICERS.

BLACK PANTHER PARTY (BPP) CHAIRMAN BOBBY SEALE, WITH BPP

WHO ARRIVED IN BUFFALO THIS MORNING EN ROUTE TO

END PAGE ONE

51 SEP 23 1971

MR. SULLIVAN FOR THE DIRECTOR

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

Miller, E.S.V.
Mr. Cleveland

REC-15

b6
b7C

PAGE TWO

BU 157-1367

ATTICA, HAS SCHEDULED PRESS CONFERENCE AT TWELVE THIRTY PM AT
KENMORE, NY, RESIDENCE OF [REDACTED].

b6
b7C

A RELIABLE SOURCE ADVISED TODAY THAT BUFFALO CIVIL RIGHTS ORGANIZATION BUILD (BUILD UNITY, INDEPENDENCE, LIBERTY AND DIGNITY) ISSUED STATEMENT EARLY TODAY SUPPORTING PRISONERS' DEMANDS AND HAS SCHEDULED BUSES TO GO TO ATTICA AT TWELVE NOON, TWO AND FOUR PM TO DEMONSTRATE SUPPORT OF PRISONERS.

REPRESENTATIVES OF THE STATE UNIVERSITY OF NEW YORK AT BUFFALO (SUNYAB) CHAPTER OF STUDENTS FOR A DEMOCRATIC SOCIETY (SDS) ARE DISSEMINATING LEAFLETS CALLING FOR A MOTORCADE TO DEPART AT THREE PM TODAY FOR ATTICA TO DEMONSTRATE SUPPORT FOR THE PRISONERS.

LEAFLETS ARE BEING DISTRIBUTED AT SUNYAB CAMPUS ANNOUNCING A RALLY IN SUPPORT OF THE ATTICA PRISONERS TO BE HELD AT NIAGARA SQUARE, BUFFALO, NY, AT FOUR PM TODAY SPONSORED BY THE AD HOC COMMITTEE TO SUPPORT ATTICA PRISONERS; THE BUFFALO RIGHTS ACTION GROUP (BRAG), A LOCAL CR GROUP; AND THE BUFFALO CHAPTER OF THE NATIONAL LAWYERS GUILD.

A SECOND RELIABLE SOURCE ADVISED TODAY THAT LOCAL YOUTH AGAINST WAR AND FASCISM (YAWF), THE YOUTH FRONT GROUP OF THE
END PAGE TWO

PAGE THREE

BU 157-1367

WORKERS WORLD PARTY (WWP), HAS SCHEDULED A RALLY FOR FOUR THIRTY PM TODAY AT LAFAYETTE SQUARE, BUFFALO, NY, IN SUPPORT OF THE PRISONERS.

ADMINISTRATIVE

REMYTEL AND TELCALLS TODAY.

INFORMATION RE PROPOSED RALLIES AND DEMONSTRATION OUTLINED ABOVE HAS BEEN DISSEMINATED TO NEW YORK STATE POLICE AND LOCAL AUTHORITIES.

FIRST SOURCE UTILIZED IS

[REDACTED]

[REDACTED]

SECOND SOURCE IS FORMER

[REDACTED]

BUREAU WILL BE PROMPTLY ADVISED OF FURTHER DEVELOPMENTS.

END

RSP FBI WSH DC

b6
b7C
b7D

CC: MR. MILLER

NY 236 NY CODE

9:20 PM URGENT 9-13-71 BGW

TO DIRECTOR

ATTN: DID

FROM NEW YORK (100-NEW)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

TELETYPE

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

Mr. Miller

DEMONSTRATION AT OFFICE OF GOVERNOR ROCKEFELLER, NYC,
BY VIETNAM PEACE PARADE COMMITTEE AND OTHER ORGANIZATIONS ON
SEPTEMBER THIRTEEN SEVENTY ONE, IN CONNECTION WITH ATTICA, NEW YORK
CORRECTIONAL FACILITY RIOTS; IS-NEW LEFT: *S-H*

ON SEPTEMBER THIRTEEN, INSTANT, A CONFIDENTIAL SOURCE,
WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, FURNISHED
INFORMATION THAT VIETNAM PEACE PARADE COMMITTEE (VPPC) ADVISED
THAT DEMONSTRATION WAS TO TAKE PLACE AT OFFICE OF GOVERNOR
ROCKEFELLER INSTANT DATE, FIVE PM, REGARDING SITUATION AT ATTICA,
NEW YORK.

THE VPPC IS A NYC BASED ORGANIZATION WHICH HAS
ORGANIZED AND PARTICIPATED IN ANTI-VIETNAM WAR DEMONSTRATIONS,
IN NYC ELSEWHERE.

EX-102

REC 25

ON INSTANT DATE, A SECOND AND THIRD CONFIDENTIAL
SOURCES, WHO HAVE FURNISHED RELIABLE INFORMATION THE PAST,
ADVISED A WOMENS LIBERATION MOVEMENT GROUP KNOWN AS MADAM WINH
BRIGADE WAS GOING TO PARTICIPATE IN A DEMONSTRATION AT GOVERNOR
ROCKFELLERS NYC OFFICE, TWENTY TWO WEST FIFTY FIFTH STREET.

12 SEP 15 1971

END PAGE ONE

SEP 21 1971

44-50605-
NOT RECORDED

THIRD LINE FROM BOTTOM LAST WORD SHOULD READ BING

NOV 17 1971

"cc to FBI"

Adm. date deleted

100-44554-10010

PAGE TWO

THE THIRD CONFIDENTIAL SOURCE STATED MADAM BINH BRIGADE IS GROUP OF WOMEN WHO HAVE ORGANIZED AROUND THE GEORGE JACKSON SLAYING IN CALIFORNIA AND THE ATTICA PRISON RIOT. FROM THIS THEIR ACTION WILL PROBABLY REVOLVE AROUND GENERAL PRISON REFORM THEME.

A THIRD CONFIDENTIAL SOURCE, INSTANT DATE, WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED YOUTH AGAINST WAR AND FASCISM (YAWF) WILL PARTICIPATE IN A DEMONSTRATION AT GOVERNOR ROCKEFELLERS OFFICE, NYC.

YAWF IS YOUTH GROUP OF WORKERS WORLD PARTY (WWP).

WWP, FOUNDED NINETEEN FIFTY NINE BY INDIVIDUALS WHO DISAGREED WITH THE SOCIALIST WORKERS PARTY (SWP).

SWP HAS BEEN DESIGNATED PURSUANT TO EXECUTIVE ORDER ONE ZERO FOUR FIVE ZERO.

END PAGE TWO

PAGE THREE

SPECIAL AGENTS OF THE FBI OBSERVED A DEMONSTRATION ON WEST FIFTY FIFTH STREET IN FRONT OF GOVERNOR ROCKEFELLER'S OFFICE. AT FIVE PM, APPROXIMATELY FIFTY INDIVIDUALS PICKETED IN A BARRICADED AREA IN FRONT OF TWENTY TWO WEST FIFTY FIVE STREET. BETWEEN FIVE PM AND SIX PM A MAXIMUM OF FIVE HUNDRED PEOPLE MARCHED AND CHANTED AT THE ABOVE LOCATION. THE ONLY ORGANIZATION IDENTIFIED BY BANNERS AND LEAFLETS WAS THE YAWF, WHOSE BANNER SIGNING PRISONERS SOLIDARITY COMMITTEE STATED

"TEAR DOWN THE JAILS". ALTHOUGH THE CROWD WAS VERY VOCAL, THERE WERE NO INCIDENTS UNTIL SIX PM WHEN THE POLICE BARRICADES WERE OVERTURNED AND THE GROUP OF DEMONSTRATIONS PROCEED WEST ON FIFTY FIFTH STREET TO SIXTH AVENUE AND THEN SOUTH ON SIXTH AVENUE WHERE THEY MARCHED DOWN THE MIDDLE OF THE STREET DELAYING TRAFFIC AND CONTINUING THEIR CHANTS. THE CROWD PROCEEDED DOWN SIXTH AVENUE TO FORTY SECOND STREET, THEN EAST TO GRAND CENTRAL STATION WHERE THEY ENTERED THE MAIN LOBBY WHERE THEY MILLED AROUND UNTIL SIX FORTY FIVE AT WHICH TIME THE CROWD DISPERSED.

END PAGE THREE

PAGE FOUR

ON THIS DATE [REDACTED] S.I.S. NYCPD ADVISED THAT
THERE WAS ONE ARREST DURING ABOVE DESCRIBED DEMONSTRATIONS.
AT APPROXIMATELY SIX PM AN UNKNOWN INDIVIDUAL WAS ARRESTED
AT SIX AVE. AND FIVE FIVE ST. WHERE HE WAS CHARGED WITH
THROWING A MOLOTOV COCKTAIL AT A NY STATE VEHICLE. [REDACTED]
ADVISED THE DAMAGE WAS NEGLIGIBLE. THE EXACT CHARGE AND ^{NAME} ~~DATE~~
OF THE PERSON ARRESTED WAS UNKNOWN AT THIS TIME.

NYCPD AND NYS POLICE AT NYC COGNIZANT.

ADMINISTRATIVE

FIRST SOURCE [REDACTED]

SOURCE

[REDACTED] THIRD SOURCE [REDACTED]

[REDACTED] FOURTH SOURCE [REDACTED]

[REDACTED] NYCPD.

SAS OBSRVING DEMONSTRATION : [REDACTED]

[REDACTED] IDENTITY OF PERSON ARRESTED

WILL BE DETERMINED IN RESULTS FURNISHED TO BU. LHM FOLLOWS.

END

REM FBI WASH DC

b6
b7C

b6
b7C
b7D

cc - Horner

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller

1 - Mr. Sullivan
1 - Mr. J.P. Mohr
1 - Mr. Callahan
1 - Mr. Bishop
1 - Mr. Rosen
DATE: 9/13/71

Tolson _____
Felt _____
Sullivan _____
Mohr _____
Bishop _____
Brennan, C.D. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Gale _____
Ponder _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

FROM : R. D. Cetter

SUBJECT: DEMONSTRATION AT THE DEPARTMENT OF JUSTICE, SEPTEMBER 14, 1971, TO SUPPORT PRISONERS AT NEW YORK STATE PENITENTIARY, ATTICA, NEW YORK

The Washington Field Office has just advised the receipt of information from the Metropolitan Police Department (MPD) that one of its sources had developed information that the Peoples Coalition for Peace and Justice (PCPJ), which sponsored the massive demonstration in Washington last May 11, is making plans to demonstrate at the Department of Justice building tomorrow at 4 p.m.

This demonstration is being held in support of the prisoners at the New York State Penitentiary, Attica, New York.

According to the MPD, posters are being put up on area campuses calling for this demonstration.

The Interdepartmental Intelligence Unit of the Department has been advised of the above. This information will also be included in a summary teletype to the White House, President, Vice President, Secret Service, military intelligence agencies and Attorney General.

ACTION:

None. For information.

RHH:jd
(11)

SEP 20 1971

60 SEP 23 1971

1 - Mr. Miller
1 - Mr. Shackelford
1 - Mr. Cetter
1 - Mr. Trainer
1 - Mr. Horner

E. S. Miller
Mr. Cleveland

UNRECORDED COPY FILED IN 100-454971-1162-11224-53

EX-102
REC-30 157-228105-24

17 1971

WASH
Smy

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PER
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5-Horner

SEP 13 1971

TELETYPE

~~CONFIDENTIAL~~

NR 034 NY CODE

945 PM URGENT 9-13-71 KEH

TO DIRECTOR

DECLASSIFIED BY 60309 AUC TAM/MLT/CLS
ON 02-08-2006

ATTENTION DOMESTIC INTELLIGENCE DIVISION

BUFFALO

MINNEAPOLIS

PHILADELPHIA

FROM NEW YORK (157-6968)

Classified by SP2000/OWS
Declassify on: OADR 15-6203

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Gale _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA

NEW YORK; EXTREMIST MATTERS. 00:BUFFALO.

① Attica State Prison

FOR INFORMATION PHILADELPHIA AND MINNEAPOLIS, ON SEPTEMBER
TWELVE LAST, BUFFALO ADVISED THE BELOW LISTED AUTOMOBILES IN AREA
OF CAPTIONED DISTURBANCE POSSIBLY IN CONNECTION WITH VISIT OF
BOBBY SEALE, PUBLICITY IDENTIFIED NATIONAL CHAIRMAN OF BPP, TO
RIOT AREA. THE AUTOS, BOTH AVIS RENTAL CARS, WERE RENTED
AS FOLLOWS:

NEW YORK LICENSE NINE Z ONE FOUR NINE TWO, RENTED SEPTEMBER
EIGHT LAST, AT AVIS NEWARK AIRPORT OFFICE, NEWARK, NEW
JERSEY. DUE TO BE RETURNED SEPTEMBER TEN LAST, BUT NOT
RETURNED AS OF SEPTEMBER THIRTEEN INSTANT. RENTED BY SEP 22 1971

EX-102
REC-39

44-50605-26
157-23165-33

AGENCY: CRD

HOW FORM: 9/17/71

DATE FORM: 9/17/71

BY: SP7/POA 1cc 712A-940

END PAGE ONE

62 SEP 27 1971

cc to IDIU
Adm. data deleted

INCLUDED IN SUMMARY TO WHITE HOUSE
AND ATTORNEY GENERAL. DATE 9/17/71

last per PD 2-4-14 PDS only

PAGE TWO

(157-6869)

~~CONFIDENTIAL~~

[REDACTED]

NEW YORK LICENSE FOUR TWO Z TWO ONE, RENTED SEPTEMBER ELEVEN LAST, AT AVIS OFFICE, FOUR SIX ZERO WEST FORTY SECOND STREET, NEW YORK CITY. DUE TO BE RETURNED SEPTEMBER ELEVEN LAST AT AVIS, BUFFALO, NEW YORK, BUT RETURNED SEPTEMBER TWELVE LAST AT BUFFALO AIRPORT. RENTED BY [REDACTED] N/1.

[REDACTED] ADDITIONAL DRIVER LISTED AS [REDACTED] 1.

NO ADDRESS OR FURTHER INFORMATION GIVEN.

Black Panther Party Associate
ON SEPTEMBER THIRTEEN INSTANT, A CONFIDENTIAL SOURCE, WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED THAT [REDACTED]

~~CONFIDENTIAL~~
[REDACTED] BPP - CLEAVER FACTION AT NEW YORK

CITY, HAD TRAVELED BY TRAIN TO BUFFALO, ARRIVING EARLY A.M. SEPTEMBER THIRTEEN INSTANT. ORIGINAL PURPOSE WAS TO OFFER AT A PUBLIC PRESS CONFERENCE TO HAVE ELDRIDGE CLEAVER, BPP LEADER CURRENTLY IN EXILE IN ALGIERS, ALGERIA, CONTACT THE ALGERIAN GOVERNMENT TO OFFER TO ACCEPT INTO ALGERIA THOSE PRISONERS FREED FROM THE ~~C~~ (U)

END PAGE TWO

~~CONFIDENTIAL~~

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b7D

PAGE THREE

(157-6869)

ATTICA CORRECTIONAL FACILITY AS A RESULT OF THIS RIOT. ~~C~~ (U)

LATER CONTACT WITH [] DETERMINED THAT IN VIEW OF
RE-ESTABLISHMENT OF ORDER, NO PRESS CONFERENCE WOULD BE HELD.
HOWEVER, [] AND [] REMAIN IN BUFFALO, LENGTH OF STAY
UNDETERMINED. ~~C~~ (U)

SOURCE ADVISED THERE IS A [] WHO HAS BEEN
ASSOCIATED WITH THE BPP - CLEAVER FACTION IN NEW YORK BUT IT IS
UNKNOWN AT THIS TIME IF THIS IS THE SAME [] LISTED AS THE
ADDITIONAL DRIVER OF THE CAR RENTED BY []. THE NAMES
[] ARE UNKNOWN TO SOURCE. ~~C~~ (U)

REPRESENTATIVE OF NYCPD ADVISED SEPTEMBER THIRTEEN INSTANT
HE HAS NO INFORMATION THAT ANY INDIVIDUALS FROM NEW YORK CITY
AREA ARE TRAVELING TO BUFFALO AREA TO PARTICIPATE IN ANY ACTIVITY
IN CONNECTION WITH INMATES RIOT AT ATTICA. THERE IS NO INDICATION
AT PRESENT OF ANY INMATES UPRISINGS OR DISTURBANCES OCCURRING
IN PENAL INSTITUTIONS IN NEW YORK AREA.

ADMINISTRATIVE:

RE BUFFALO TELCALL TO NEW YORK, SEPTEMBER TWELVE LAST;

END PAGE THREE

PAGE FOUR

(157-6869)

~~CONFIDENTIAL~~

NEW YORK TELCALL TO BUFFALO, SEPTEMBER THIRTEEN INSTANT.

SOURCE IS

[REDACTED]

SOURCE

STATES NO ACTION PLANNED BY NEW YORK BPP AT THIS TIME. NEW
YORK WILL ADVISE IF THIS PLAN IS IN ANY WAY ALTERED. ~~C~~ (U)

[REDACTED]

[REDACTED]

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b7C
b7D

LEADS:

PHILADELPHIA AND MINNEAPOLIS CONDUCT LOGICAL INVESTIGATION
TO IDENTIFY [REDACTED] AND ASCERTAIN REASONS FOR
PRESENCE IN BUFFALO.

E N D

EBR FBI WASH DC

cc-train

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 13 1971

TELETYPE

NR001 BU CODE

11:50AM URGENT 9-13-71 AMS

TO DIRECTOR

FROM BUFFALO (157-1367) 2P

Mr. Tolson ✓
Mr. Belmont ✓
Mr. Sullivan ✓
Mr. Mohr ✓
Mr. Bishop ✓
Mr. Brennan CD ✓
Mr. Callahan ✓
Mr. Casper ✓
Mr. Conrad ✓
Mr. Dalbey ✓
Mr. Gale ✓
Mr. Hendon ✓
Mr. Rosen ✓
Mr. Tavel ✓
Mr. Walters ✓
Mr. Soyars ✓
Tele. Room ✓
Miss Holmes ✓
Miss Gandy ✓

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK, EXTREMIST MATTER.

(PRISON)

Also State Prison

AT SEVEN FORTYSIX AM TODAY, NEW YORK STATE

[REDACTED] GAVE STATEMENT TO RIOTING

INMATES AT ATTICA PRISON RECAPITULATING EFFORTS TO NEGOTIATE
AND ASKING FOR HOSTAGES RELEASE AND RESTORATION OF ORDER. HE
GAVE INMATES ONE HOUR TO RESPOND. AT EXPIRATION OF HOUR, INMATES
REQUESTED ADDITIONAL TIME, WHICH WAS GRANTED, BUT NO ADDITIONAL
RESPONSE WAS RECEIVED FROM INMATES; AND INMATES WERE OBSERVED
HURDING HOSTAGES WITH WEAPONS AT THEIR THROATS ACCORDING TO
[REDACTED] WHO INTERPRETED THIS ACTION AS A NEGATIVE RESPONSE
BY THE INMATES.

AT NINE FORTYSIX, APPROXIMATELY SIX HUNDRED NEW YORK STATE
POLICE, ASSISTED BY ELEMENTS OF THE NEW YORK STATE NATIONAL
GUARD, MOVED INTO THE PRISON AREA HELD BY INMATES. AREA
WAS GASSED BY HELICOPTERS. AS OF TEN THIRTY AM, OPERATION
STILL IN PROGRESS. AT THIS POINT, TWENTYTHREE HOSTAGES HAD
BEEN FREED, SOME OF WHOM HAVE BEEN REMOVED ON STRETCHERS, AND

END PAGE ONE

XEROX

MR. SULLIVAN FOR THE DIRECTOR

Mr. E.S.

McGowan
Boggs

b7D

ST-106 44-50605-27
REC 20

SEP 24 1971

AGENCY: [REDACTED]
HOW FORW: [REDACTED]
DATE FORW: [REDACTED]
BY: [REDACTED]

PAGE TWO

BU 157-1367

FOUR OF WHOM ARE REPORTEDLY IN SERIOUS CONDITION. THREE NEW YORK STATE POLICE TROOPERS WERE REPORTEDLY INJURED. AUTHORITIES HAD NOT AS YET ACCOMPLISHED COMPLETE CONTROL OF AREA HELD BY RIOTERS.

ADMINISTRATIVE

RENYTELCALL TODAY.

BUREAU WILL BE PROMPTLY ADVISED OF FURTHER DEVELOPMENTS.

END

QXC FBI WASHDC

100-200-1000

SEP 13 1971

ONR 005 CG PLAIN

55PM 9-13-71 EOM

TO BUFFALO (176-21) URGENT DIRECTOR (176-1410) NITEL
 BOSTON (176-60) NITEL NEW HAVEN (176-1) NITEL
 NEW YORK (176-133) NITEL SAN FRANCISCO (176-2) NITEL
 FROM CHICAGO (176-5 SUB C)

T...
 Miss...
 Miss...
 Miss...

AKA ET AL (TRAVEL OF DEFENDANTS) ARL-

CONSPIRACY; COC (OO: CG.

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,
 NEW YORK, EXTREMIST MATTER.

RE ALBANY TEL SEPTEMBER TEN LAST, FIRST CAPTION, RE-
 GARDING [REDACTED] ; SAN FRANCISCO TEL SEPTEMBER TWELVE
 LAST, SECOND CAPTION, REGARDING RETURN OF BOBBY SEALE TO ATTICA,
 NINE THIRTEEN INSTANT.

DEPUTY USM [REDACTED] CHICAGO, ADVISED OF RECEIPT
 TODAY OF TWO TELEGRAMS FROM SEALE, BOTH SENT OAKLAND, CAL., ONE
 MORNING OF SEPTEMBER ELEVEN LAST, THE OTHER LATE EVENING
 SEPTEMBER TWELVE LAST. FIRST TELEGRAM ADVISED SEALE WAS TRAVELING
 FROM SAN FRANCISCO ON SEPTEMBER ELEVEN LAST, VIA AIR, TO BUFFALO
 AND ATTICA, N.Y., TO RETURN TO OAKLAND EVENING OF SEPTEMBER
 TWELVE. NO FURTHER DETAILS IN TELEGRAM.

SECOND TELEGRAM ADVISED SEALE RETURNING TO BUFFALO AND

END PAGE ONE

NOT RECORDED

100 SEP 20 1971

55 SEP 20 1971

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b7C

ORIGINAL FILED IN 176-1410-176

ATPAGE TWO

ATTICA LATE PM OF SEPTEMBER TWELVE LAST, TO RETURN OAKLAND ON SEPTEMBER NINETEEN NEXT. NO FURTHER DETAILS IN THIS TELEGRAM.

[REDACTED] ALSO IN RECEIPT OF LETTER FROM [REDACTED] DATED SEPTEMBER FOUR LAST. [REDACTED] ADVISED OF CHANGE OF ADDRESS FROM [REDACTED] VT., TO [REDACTED] [REDACTED] MASS. [REDACTED] HAS NO TELEPHONE AT THIS ADDRESS WHICH IS A TEMPORARY RESIDENCE, WITH MORE PERMANENT ADDRESS TO BE FORTHCOMING IN ABOUT TWO MONTHS. LETTER ALSO ADVISED [REDACTED] TRAVELED TO NEW YORK ON SEPTEMBER SEVEN LAST, FOR BUSINESS PURPOSES, TO CONTACT [REDACTED] TELEPHONE NUMBER NINE TWO FOUR DASH TWO NINE ZERO SIX. SEPTEMBER EIGHT LAST [REDACTED]

BOSTON HANDLE NEW ADDRESS FOR [REDACTED] AS IN RE ALBANY TEL. RECEIVING OFFICES HANDLE ALL ABOVE TRAVEL IN ACCORDANCE WITH BUAIRTEL ALL OFFICES, FIRST CAPTION, AUGUST TWENTY SEVENTY. CHICAGO FOLLOWING.

END

TMT FBI WA FOR UR EIGHT TELS TU

cc - Mr. Miller

b6
b7c

UNITED STATES GOVERNMENT

Memorandum

TO

Mr. E. S. Miller

FROM

R. D. Cotter

SUBJECT

RIOT BY INMATES

NEW YORK STATE CORRECTIONAL FACILITY

ATTICA, NEW YORK

EXTREMIST MATTER

1 - Mr. Sullivan

1 - Mr. Mohr

DATE: 9/14/71

1 - Mr. Bishop

1 - Mr. Rosen

1 - Mr. Miller

1 - Mr. G.C. Moore

1 - Mr. Cotter

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, E.S.	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Buffalo teletype dated 9/13/71 furnished information received from New York State Police concerning number of deaths resulting from riot at the above-described prison. According to information furnished by New York State Police officers late yesterday afternoon, 9 hostages and 35 inmates were dead following police assault on the prison. News media reports this morning indicated that 9 hostages and 28 inmates were dead. Buffalo was requested to clarify the discrepancy in these figures.

Special Agent in Charge Carl L. Brouse has advised that the figures received from New York State Police yesterday were checked and that [redacted] of the Attica Prison, advised that a head count of dead which had just been completed this morning revealed that there were a total of 10 hostages killed, including the guard who died Saturday as a result of injuries received the day before. There are a total of 28 inmates dead. [redacted] indicated that there are several inmates unaccounted for, that they may be either hiding in some part of the prison or could also be dead. He said also that 3 of the injured hostages and several of the inmates injured during the assault by police yesterday are in critical condition and could die at any time.

Special Agent in Charge Brouse said that he was unable to determine why there was a discrepancy in figures furnished by the New York State Police yesterday but because of all the confusion existing around the prison following the assault he had to assume that the preliminary figures released by the State Police included some people who were injured but who were thought dead at the time. Mr. Brouse is having a teletype sent to the Bureau containing most recent developments of the situation at Attica.

ACTION:

For information.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 14 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

MA 041 NY CODE

747 PM URGENT 9-14-71 KEH

TO DIRECTOR

ATTENTION DOMESTIC INTELLIGENCE DIVISION
BUFFALO

FROM NEW YORK (157-6968)

RIOT AT ATTICA STATE PRISON, NEW YORK. EXTREMIST MATTER.

SOURCE WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST
ADVISED INSTANT IN CONVERSATION WITH [REDACTED]

[REDACTED] EARLY A.M. INSTANT THERE WAS CONSIDERABLE
CONCERN AMONG [REDACTED] AND NEW LEFT LEADERS IN NYC AREA THAT
ROBIN PALMER MAY HAVE BEEN KILLED IN CAPTIONED OCCURENCE.

[REDACTED] TOLD SOURCES THAT PALMER WAS IN THE COURTYARD WITH
SAM MELVILLE PRIOR TO THE VIOLENCE - AND WAS PARTICIPATING IN
CAPTIONED RIOT.

END PAGE ONE

X-101

REC-22

44-50605-29

157-2315-24

*cc to IDIU
Adm. data deleted

58 SE

17 SEP 20 1971

PAGE TWO

(157-6968)

SOURCE [REDACTED] UNITED

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b7D

STATES COMMITTEE TO AID THE NATIONAL LIBERATION FRONT, A PRO -
NORTH VIETNAMESE GROUP [REDACTED] NEW YORK MAY DAY COLLECTIVE,
A GROUP ACTIVE IN DEMONSTRATION AGAINST WAR IN INDO-CHINA,
RACISM AND REPRESSION, FURTHER ADVISED THAT IN DISCUSSION AMONG
INDIVIDUALS ABOVE THERE MAY BE RETALIATION IF IN FACT PALMER
IS DEAD.

ON SEPTEMBER FOURTEEN, NINETEEN SEVENTY ONE, A SECOND SOURCE
IN A POSITION TO FURNISH RELIABLE INFORMATION, ADVISED
RICHARD ROBIN PALMER WAS ADMITTED TO OSSINING CORRECTIONAL
FACILITY, OSSINING, NEW YORK, MAY FOUR, NINETEEN SEVENTY ONE,
TO BEGIN SERVING FOUR YEAR SENTENCE FOR ATTEMPTING BOMBING OF
NYC BANK. HE WAS ADMITTED TO OSSINING UNDER PRISON NUMBER
ONE FOUR EIGHT FOUR ZERO ONE. ON JULY TWENTY, NINETEEN SEVENTY
ONE, HE WAS TRANSFERRED TO ATTICA CORRECTIONAL FACILITY AT
ATTICA, NEW YORK.

ADMINISTRATIVE:

SOURCES IN ORDER SET FORTH ARE:

END PAGE TWO

PAGE THREE

(157-6968)

[REDACTED]

[REDACTED]

OSSINING

CORRECTIONAL FACILITY.

NYO HAS INSTRUCTED SOURCE TO MAINTAIN CLOSE CONTACT WITH
RADICAL ELEMENTS DESCRIBED ABOVE AND BE ALERT FOR ANY INFORMATION
CONCERNING REPRISALS.

BUREAU AND BUFFALO WILL BE KEPT ADVISED.

E N D

EBR FBI WASH DC

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b7D

cc - Tassin

TELETYPE

AGENCY: _____
HOW FORW _____
DATE FORW _____
ay: 0 _____

PAGE TWO

~~Confidential~~

ON WGR-TV SPECIAL NEWS PROGRAM REGARDING THE ATTICA RIOT BROADCAST AT ELEVEN THIRTY P.M. SEPT. THIRTEEN LAST, NEWSCASTER HENRY MARCOTTE ANNOUNCED KUNSTLER WOULD BE GUEST ON "TODAY" SHOW SEVEN A.M., INSTANT, WHICH WOULD ORIGINATE FROM WGR-TV STUDIOS, BUFFALO, NY. NO OTHER INFO AVAILABLE REGARDING KUNSTLER ITINERARY BEYOND THIS TIME.

ADMINISTRATIVE

RE BU TEL TO DIRECTOR, CHICAGO AND SAN FRANCISCO AT
157-23108-15, 9, 20,
NINE ZERO ONE P.M. SEPT. THIRTEEN, LAST.

SOURCE IS ~~(U)~~

b7D

SINCE FULL SECURITY COULD NOT BE GUARANTEED KUNSTLER'S
SPEECH NOT TAPE RECORDED.

END

DCW

FBI WASH DC

MR. TRAINOR
ROOM 712-A 9&D

~~Confidential~~

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 14 1971

TELETYPE

REC-26

1.2

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 002 BU CODE

2-50PM URGENT 9-14-71 DJL

TO DIRECTOR ATTN DID

CHICAGO-NITEL

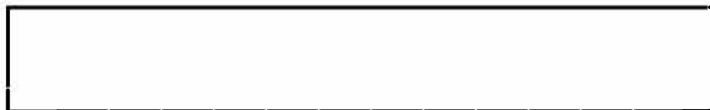
NEW YORK - NITEL

FROM BUFFALO (157-1367) 4P

ATTICA STATE PRISON

Cotton
5-10-71
Geo. Meade
H. H. H.

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK, EXTREMIST MATTER.



ATTICA CORRECTIONAL FACILITY, ADVISED TODAY THAT AS OF NINETHIRTY AM, THIRTYEIGHT PERSONS WERE DEAD AS A RESULT OF RIOT. THIS INCLUDES TWENTYEIGHT INMATES AND TEN EMPLOYEES OF FACILITY. INCLUDED IN THE LATTER FIGURE IS ONE GUARD WHO DIED OF INJURIES SUFFERED ON FIRST DAY OF RIOT. IN ADDITION, THREE HOSTAGES WHO WERE RESCUED ARE IN CRITICAL CONDITION, AS ARE SEVERAL INMATES.

T. DeLoach
ms. Galt
Stack
7-10-71
ms. Galt
b6
b7C

A RELIABLE SOURCE ADVISED TODAY THAT STUDENT RALLY TO BE HELD ON CAMPUS OF STATE UNIVERSITY OF NEW YORK AT BUFFALO SEP 23 1971 (SUNYAB), TWELVE NOON TODAY, TO DISCUSS ATTICA SITUATION. IDENTITY OF SPONSORING ORGANIZATION NOT KNOWN AS YET. SOURCE ALSO ADVISED THAT DAVID TYRE DELLINGER, "CHICAGO SEVEN" SUBJECT,

REC-26
EX-103
157-23705-39
44-50605-3

END PAGE ONE

Included in letter to White House and Attorney General. Date *9/15/71*

AGENCY: CRJ. DIV. 1
HOW FORM: 100-1
DATE FORM: SEP 20 1971
BY: *[Signature]*

24
11
117
9-14-71

PAGE TWO

WILL SPEAK AT THREE PM TODAY ON CAMPUS OF SUNYAB UNDER SPONSORSHIP OF THE "STUDENT ASSOCIATION," A RECOGNIZED CAMPUS ORGANIZATION, WHICH PRESENTS SPEAKERS OF VARYING POLITICAL POSTURE.

ARGUMENTS ARE BEING HEARD TODAY BY USDC JUDGE JOHN T. CURTIN, WDNY, BUFFALO, ON A MOTION BY [REDACTED] SUNYAB

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b7D

[REDACTED] ATTICA PRISONERS, FOR A COURT ORDER, WHICH WOULD PERMIT [REDACTED] ACCESS TO ATTICA PRISON.

[REDACTED] ALLEGES THAT WORD HAS FILTERED OUT OF PRISON THAT GUARDS ARE TAKING PHYSICAL REPRISALS AGAINST PRISONERS AND THAT INFO FROM A BUFFALO HOSPITAL DOCTOR, WHO HAS BEEN WORKING IN THE PRISON, INDICATES MEDICAL ATTENTION IS INADEQUATE. [REDACTED] STATED THAT HE HAS BEEN IN CONTACT WITH PRISON OFFICIALS SINCE EVENING OF SEPT. THIRTEEN LAST, SEEKING ENTRANCE FOR PURPOSE OF COUNSELING PRISONERS AND PROVIDING SAFEGUARDS FOR THEIR CONSTITUTIONAL RIGHTS, BUT THAT AS LATE AS NINE FORTY AM, TODAY, HE HAS BEEN DENIED ENTRANCE TO THE PRISON. [REDACTED] HAS REQUESTED A COURT ORDER GRANTING AUTHORITY FOR HIMSELF AND APPROXIMATELY TWENTYFIVE OTHER ATTORNEYS TO ENTER THE PRISON TO COUNSEL THEIR CLIENTS AND TO INSURE THAT PHYSICAL REPRISALS ARE NOT BEING TAKEN BY PRISON PERSONNEL. HE ALSO SEEKS TO HAVE

END APGE TWO

PAGE THREE

THE COURT INSURE THAT ADEQUATE MEDICAL ATTENTION IS IMMEDIATELY AVAILABLE TO THE PRISONERS. A NEW YORK STATE REPRESENTATIVE ARGUING AGAINST THE MOTION STATED THE PRISON IS NOT SECURE AT THIS TIME, THAT EIGHT PRISONERS ARE STILL NOT ACCOUNTED FOR AND THAT IT WOULD BE INADVISABLE FOR ATTORNEYS TO BE WANDERING ON PRISON GROUNDS. HE STATE THAT MEDICAL TREATMENT IS NOW ADEQUATE AND, IN THOSE CASES WHERE PRISON FACILITIES ARE INADEQUATE, PRISONERS HAVE BEEN TRANSFERED TO AREA HOSPITALS. HE GAVE ASSURANCES THAT ACCESS WOULD BE GIVEN TO ATTORNEYS WHEN THE PRISON IS SECURE. THE COURT RECESSED UNTIL AFTERNOON OF INSTANT DATE TO PERMIT PRISON OFFICIAL OPPORTUNITY TO PRESENT CURRENT ASSESSMENT OF SITUATION INSIDE PRISON.

ADMINISTRATIVE

REMYTEL, ELEVEN FIFTY AM, SEPT. THIRTEEN LAST.

SOURCE UTILIZED IS

BUFFALO, NEW YORK, BY REQUEST.

END PAGE THREE

b6
b7C
b7D

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/15/71

Attached concerns the riot at New York State Prison at Attica, New York. Although newspaper accounts are carrying various totals as to the number of persons killed during the riot, the total as reported to our office in Buffalo as of 2:10 a.m., 9/15/71, is ten hostages and 29 inmates.

The news media have been carrying reports attributed to the Monroe County Medical Examiner's Office to the effect that the hostages who were autopsied by the Medical Examiner died from gunshot wounds and that their throats were not slit. Subsequent information received from Buffalo indicates New York Commissioner of Corrections reversed earlier statement and confirmed that nine hostages had been killed by gunfire, matter of other wounds still not resolved.

We have instructed our Buffalo Office to ascertain the facts in this case and to expeditiously advise the Bureau. You will be kept promptly advised of all developments. Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

JTK:lac

Handwritten notes and signatures:
- *PEOP* (with a line through it)
- *JAC* (with a line through it)
- *Wick*
- *DD*
- *ROCK*
- *JAC*

COMMUNICATIONS SECTION

SEP 14 1971

TELETYPE

NR 004 BU CODE

1018 PM IMMEDIATE 9-14-71 DAT

TO DIRECTOR (ATTN; DID)
FROM BUFFALO (157-1367)

RIOT BY INMATES, NEW YORK STATE (NYS) CORRECTIONAL FACILITY,
ATTICA, N.Y., EXTREMIST MATTER;

USDC JUDGE JOHN T. CURTIN, WDNY, BUFFALO, N.Y., TODAY DENIED
MOTION FOR COURT ORDER PERMITTING ATTORNEYS TO ENTER ATTICA FAC-
ILITY AND TO INSURE ADEQUATE MEDICAL ATTENTION FOR INMATES ON BASIS
OF FACTS PRESENTED.

ATTICA CORRECTIONAL FACILITY,

ADVISED THAT A HEAD COUNT OF INMATES AT 5 P.M. TODAY
SHOWED ONE PRISONER MISSING. AT TWELVE FIFTY P.M. BODY OF MISSING
INMATE, DEAD TWO TO THREE DAYS, FOUND IN CELL BLOCK. CAUSE OF
DEATH NOT KNOWN AS YET. TOTAL DEAD NOW IS TWENTYNINE INMATES AND
TEN HOSTAGES. FIVE THIRTY P.M. TODAY ALTHOUGH AREA NEWSPAPER
VARIOUSLY REPORTS COUNT AS FORTY TO FORTYONE.

NYS CORRECTION OFFICIALS HAVE OBTAINED THIRTYSIX PHYSICIANS
AND FOUR X-RAY TECHNICIANS FROM ROCHESTER, N.Y. TO EXAMINE THE
ENTIRE TWELVE HUNDRED INMATES INVOLVED IN RIOT AND EVENTUALLY THE
REMAINDER OF THE INMATES STILL AT THE FACILITY.

END PAGE ONE

TELETYPE TO

FTB

to IDIU
Adm. data deleted

AGENCY: CRD, ISD, ITU, RAO, OD
ACST: OSI-35
HOW FORM: 125
DATE FORM: SEP 22 1971
BY: [Signature]

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Miller, ES
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

b6
b7C

PAGE TWO

A CONTINUING SEARCH OF THE FACILITY IS BEING MADE FOR CONTRABAND, WEAPONS OR EXPLOSIVES. TO DATE, NO EXPLOSIVES HAVE BEEN LOCATED, ALTHOUGH ONE ACETYLENE TANK WAS LOCATED WITH AN ELECTRIC CLOCK HOOKED UP TO IT.

ONE THOUSAND INMATES AT THE FACILITY ARE BEING TRANSFERRED TO VARIOUS OTHER FACILITIES THROUGHOUT THE STATE BY BUS AT THE APPROXIMATE RATE OF TWO HUNDRED PER DAY. TRANSFERRED INMATES CONSIST OF THOSE WHO DID NOT ENGAGE IN THE RIOT.

AN ARTICLE IN THE SEPT. FOURTEEN, SEVENTYONE LATE CITY COMPLETE EDITION OF THE "BUFFALO EVENING NEWS", A LOCAL DAILY NEWSPAPER, STATES THAT, ACCORDING TO RICHARD R. RINTALE, CHIEF INVESTIGATOR MONROE COUNTY, N.Y. MEDICAL EXAMINER'S OFFICE, ROCHESTER, N.Y., EIGHT HOSTAGES WHO WERE AUTOPSIED BY THE MEDICAL EXAMINER DIED FROM GUNSHOT WOUNDS AND THAT THEIR THROATS WERE NOT SLASHED.

BUREAU OF CRIMINAL INVESTIGATION (BCI), NEW YORK STATE POLICE (NYSP) ADVISED THAT BODIES OF EIGHT HOSTAGES

END PAGE TWO

b6
b7C

PAGE THREE

WERE REMOVED DURING NIGHT OF SEPT. THIRTEEN THROUGH FOURTEEN LAST TO STRONG MEMORIAL HOSPITAL, ROCHESTER, N.Y. FOR AUTOPSIES. FIRST KNOWLEDGE [] HAD THAT HOSTAGES WERE ALLEGEDLY SHOT WAS FROM COMMERCIAL RADIO BROADCASTS OF INFO FROM THE MEDICAL EXAMINER'S OFFICE IN ROCHESTER. [] HAS DISPATCHED A NEW YORK STATE PATHOLOGIST AND TWO BCI INVESTIGATORS TO THE MONROE COUNTY MEDICAL EXAMINER'S OFFICE TO CHECK OUT REPORT THAT THE HOSTAGES DIED OF GUNSHOTS. NO REPORTS HAVE BEEN RECEIVED AS YET BY THE STATE POLICE FROM THE MEDICAL EXAMINER'S OFFICE AND AUTHORITIES AT ATTICA CANNOT VERIFY REPORTS AT THIS TIME. [] NOTED THAT TWO OF THE HOSTAGES WHO WERE RESCUED ALIVE HAVE THROAT CUTS AND ONE HAD BEEN CASTRATED.

b6
b7C

ADMINISTRATIVE

P.

REMYTEL TODAY.

END

TMT FBI WA

R RELAY TO DID

CC MR. TRAINOR
712-A 9&D

3:55 AM URGENT 9-14-71 JMC

TO DIRECTOR

ATTN: DOMESTIC INTELLIGENCE DIVISION

FROM NEW YORK

DEMONSTRATION AT OFFICE OF GOVERNOR ROCKEFELLER, NYC,

BY VIETNAM PEACE PARADE COMMITTEE AND OTHER ORGANIZATIONS ON

SEPTEMBER THIRTEEN SEVENTY ONE IN CONNECTION WITH

ATTICA, NEW YORK, CORRECTIONAL FACILITY RIOTS

INTERNAL SECURITY

IS-NEW LEFT.

RIKERS ISLAND,

ADVISED THAT AT APPROXIMATELY

FIVE THIRTY PM SEPTEMBER THIRTEEN SEVENTY ONE AS HE WAS

PROCEEDING WEST ON FIFTY FIFTH STREET IN A CAB

LOCATED AT FORTY FOUR WEST FIFTY

FIFTY STREET.

END PAGE ONE

NOT RECORDED

NOV 17 1971

57 SEP 22 1971

ORIGINAL FILED IN 100-445548-163

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Mr. Tele. Room
Mr. Holmes
Miss Gandy
Mr. Miller, E.
Mr. Cleveland

PAGE TWO

b6
b7C
b7D

[REDACTED]
[REDACTED] ADVISED HE
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

ATTEMPTING TO HEAD FOR THE EIGHTEENTH PRECINCT. [REDACTED]
[REDACTED]
[REDACTED] STATED
[REDACTED] WAS FINALLY TAKEN TO THE EIGHTEENTH PRECINCT, AFTER THEY
MADE ^{THEIR} ~~THEIR~~ WAY PAST SOME DEMONSTRATORS. [REDACTED]
[REDACTED]

LIEUTENANT [REDACTED] BOMB SQUAD, NYCPD ADVISED
INSTANT DATE THAT EXAMINATION OF THE [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

b6
b7C
b7E

END PAGE TWO

PAGE THREE

b6
b7C
b7D

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] FURTHER ADVISED

[REDACTED] ST. CLAIR HOSPITAL
[REDACTED]
[REDACTED]

b6
b7C

[REDACTED] DOB [REDACTED]

Peace of Puerto

DOB [REDACTED] CALIFORNIA WHO AS OF NOVEMBER NINETEEN SEVENTY

[REDACTED] "LIBERATED GUARDIAN".

THE " GUARDIAN WAS A SELF DESCRIBED AS INDEPENDENT RADICAL
NEWS WEEKLEY IN ITS MAY NINE, NINETEEN SEVENTY ISSUE.

[REDACTED] WAS ALSO KNOWN AS OF NOVEMBER NINETEEN SEVENTY

[REDACTED] FIFTH AVENUE VIETNAM PEACE

PARADE COMMITTEE (FAVPPC) AND THE COMMITTEE OF /RETURNED
VOLUNTERS (CRV). THE CRV WAS DESCRIBED IN NINETEEN SIXTY
SIX AS AN INDEPENDENT NATIONAL ORGANIZATION OF PERSONS WHO
HAVE WORKED AS VOLUNTEERS IN ASIA AFRICA
AND LATIN AMERICAN AND WHOSE AIM IS TO INFLUENCE US
POLICE TOWARD THESE COUNTRIES.

END PAGE THREE

PAGE FIVE

ADMINISTRATIVE.

RE URGENT TELETYPE TO BUREAU DATED SEPTEMBER THIRTEEN
NINETEEN SEVENTY ONE CAPTIONED AS ABOVE.

NY PHONE CALL TO BUREAU DIVISION FIVE, TWELVE THIRTY AM
SEPTEMBER FOURTEEN SEVENTY ONE.

APPROPRIATE AGENCIES COGNIZANT.

INFORMATION FROM [REDACTED]

WAS FURNISHED TO SA [REDACTED]

FOR INFORMATION BUREAU [REDACTED] IS THE SUBJECT
OF BUFILE ONE ZERO ZERO DASH FOUR SIX ONE FIVE ZERO SIX AND
THE SUBJECT OF A SELECTIVE SERVICE FILE (NY TWO FIVE DASH
ONE ZERO THREE ZERO THREE NINE) BUFILE NOT KNOWN.

NCIC CHECK ON [REDACTED] INSTANT DATE WAS NEGATIVE.

NO DOC OF FAVPPC SET FORTH AS FELT TO BE SELF EXPLANATORY.

NEW YORK WILL FOLLOW AND ADVISE.

END

DCW

FBI WASH DC

b6
b7C

SEP 15 1971

TELETYPE

NR 017 SF CODE

8 39 PM NITEL 9/15/71 JAK

TO DIRECTOR

ALBANY

BUFFALO

FROM SAN FRANCISCO (157-7061) 2P

Mr. Mohr
Mr. Bishop
Mr. Miller, ES
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

RIOI BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,

NEW YORK, EN. 00: BU.®

Attica State Prison
Attica, N.Y.

PA & Carthy

CR
RELIABLE SOURCE ADVISED THAT A MALE INDIVIDUAL BY THE
NAME OF [REDACTED] OF CORNELL UNIVERSITY, CONTACTED BPP
NATIONAL HEADQUARTERS, OAKLAND, CALIFORNIA, SEPTEMBER
FOURTEEN LAST.

[REDACTED] ADVISED THAT THE STUDENTS OF CORNELL PLANNED TO
HOLD A MEMORIAM THURSDAY, SEPTEMBER SIXTEEN NEXT, FOR THE
"BROTHERS THAT WERE MASSACRED" AND THEY WANTED BOBBY SEALE,

BPP CHAIRMAN, TO SPEAK.

[REDACTED] WAS ADVISED SEALE WOULD

END PAGE ONE

EX 101

REC-65

44-50605-33

157-2310-30

10 SEP 21 1971

"cc to IDIU
Adm. data deleted"

399

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/5/82 BY SPJ/v

PAGE TWO

SF 157-7061

CONTACT HIM. HE FURNISHED HIS TELEPHONE NUMBER AT HIS
OFFICE AS SIX ZERO SEVEN - TWO FIVE SIX - THREE EIGHT FOUR
ONE AND HIS UNLISTED RESIDENCE AS FIVE SIX TWO - THREE SIX
ZERO FOUR.

SOURCE KNEW OF NO PLANS AT THIS TIME FOR SEALE TO TRAVEL
TO CORNELL.

ADMINISTRATIVE:

SOURCE IS [REDACTED]

ALBANY ALERT APPROPRIATE AUTHORITIES AND IDENTIFY

[REDACTED]
END...

HOLD

b6
b7C
b7D

lu
MR. TRAINOR
ROOM Z12-A 9&D

NR 001 PH CODE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

REC-65

1215 AM 9-15-71 NITEL DCC (FOR SEP 15 1971)

TO DIRECTOR

TELETYPE

ATTN DOMESTIC INTELLIGENCE

BUFFALO

MINNEAPOLIS (INFO)

NEW YORK (157-6968)

FROM PHILADELPHIA (157-6263)

RIOT BY INMATES, NEW YORK CORRECTIONAL FACILITY, ATTICA, N.Y.,

EM, OO: BUFFALO

Attica State Prison

RE NY TEL TO BUREAU, ET AL, NINE THIRTEEN LAST, AND
PHILADELPHIA LET TO BUREAU AND NY OF FIVE TWENTY LAST
ENTITLED, "BPP," NO COPY TO BUFFALO.

FOR INFO OF BUFFALO, RE PHILADELPHIA LET ADVISE
PREVIOUSLY RESIDING AT

WAS DESCRIBED BY PH SOURCE AS NEGRO MALE, AGE

REGULAR HARCUT AND MUSAHE. WAS REPORTEDLY BPP

PH SOURCE ADVISED

LEFT PHILADELPHIA ABOUT THREE FIVE SEVENTY-ONE FOR N.Y. CITY
AND BPP AND RETURNED FIVE FOURTEEN SEVENTY-ONE FOR ONE DAY
WITH RETURN TO NYC.

END PAGE ONE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Severs	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

5-Tolson
① Callahan
G.C. [signature]

DE 1

F. [signature]

[signature]

b6
b7C

Black Panther Party

N.Y.

EX 101

REC-65

44-50605-34
157-23105-31

SEP 21 1971

377

157-23105

PAGE TWO

ON NINE FOURTEEN INSTANT, EXTENSIVE SEARCHES OF THE
PHILADELPHIA POLICE DEPARTMENT CRIMINAL RECORDS, IDENTIFICATION,
REPORTS CONTROL, AND CIVIL DISOBEDIENCE UNIT FILES EACH MET
WITH NEGATIVE RESULTS FOR [REDACTED]

b6
b7C

PHILADELPHIA INDICES, CITY CROSS REFERENCE, TELEPHONE
DIRECTORIES, PHILADELPHIA REALTY DIRECTORY, AND VOTERS
REGISTRATION SOURCES NEGATIVE ON [REDACTED]

PHILADELPHIA OFFICE SUGGESTS POSSIBILITY OF [REDACTED]
UTILIZING A PRIOR PHILADELPHIA ADDRESS OF [REDACTED] ONLY IN
RENTING AVIS VEHICLE.

NEW YORK REVIEW NY ONE FIVE SEVEN DASH SIX SIX NINE
SEVEN FOR POSSIBLE DATA ON [REDACTED]

PHILADELPHIA WILL CONTINUE IDENTIFICATION EFFORTS ON
[REDACTED]

END

FBI WA RDR

MR. TRAINOR
ROOM 712-A 9&D

~~Nixon called~~ accomplice in ~~Attica~~ ^{Prison} deaths

By TIM WHEELER

WASHINGTON, Sept. 14 — President Nixon today defended his role in the massacre of 37 at New York State Prison in Attica, but leaders here have charged him with being an accomplice in "murder."

Nixon hastily convened 19 Republican Congressional leaders today and told them the loss of life "would have been even greater" if the bloodbath had not been ordered, according to Senate Minority leader Hugh Scott (D-Pa).

Nixon met for two hours with the GOP leaders and obviously shaken by the wave of national outrage, brought up the Attica massacre himself. Yesterday he had telephoned Gov. Rockefeller to bless the massacre.

Widespread protest

Congressmen, church leaders, student presidents and civil rights activists angrily lashed Nixon and Rockefeller.

An emergency demonstration was scheduled at the Justice Department today to protest the Nixon Administration's role in the massacre.

The protest was jointly sponsored by the D.C. Free Angela Committee, the People's Coalition for Peace and Justice and the Young Workers Liberation League.

Among the demonstration's sponsors was Marjory Tabakin, president of the National Student Association, who declared, "It is murder. Gov. Rockefeller has no right to make the decision he did without giving more time to negotiate a settlement. A settlement could have been reached. This was a wanton bloodbath.

"It is inconceivable to me that
On this ed on page 11

Tolson _____
Sullivan _____
Mohr _____
Bishop _____
Brennan, C.D. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Felt _____
Gale _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Beaver _____
Tele. Room _____
Holmes _____
Gandy _____

The Washington Post
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times _____
The Daily World P. 1, 11
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date SEP 15 1971

44-50605-A

157-2510

NOT RECORDED

47, SEP 29 1971

55 SEP 20 1971

Tolson _____
 Sullivan _____
 Mohr _____
 Bishop _____
 Brennan, C.D. _____
 Callahan _____
 Casper _____
 Conrad _____
 Dalbey _____
 Felt _____
 Gale _____
 Rosen _____
 Tavel _____
 Walters _____
 Soyars _____
 Beaver _____
 Tele. Room _____
 Holmes _____
 Gandy _____

Nixon called accomplice in Attica deaths

Continued from page 1

Rockefeller could have done this without clearing it first. Rockefeller had word from the Justice Department. The order came down from the top."

Church leader protests

Josiah Beeman, director of the Washington Office of the United Presbyterian Church, declared that the blame for the bloodbath lies with prison officials "who showed real lack of restraint . . . when continued loss of life." could have prevented loss of life."

Beeman lashed Nixon for his telephone call to Gov. Rockefeller and declared, "Any attempt to politically exploit that situation is shameful."

"Personally, I don't think that every effort was made to see that all the remedies were exhausted. There's no evidence that the hostages were in any more danger than they had been before. This cannot be laid at the door of the 'militants' and the prisoners."

Yvonne Price, assistant office



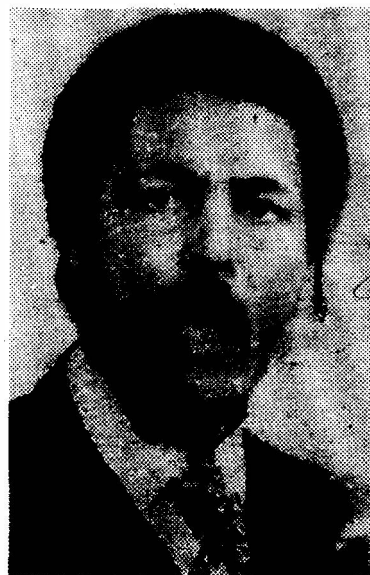
REP. SHIRLEY CHISHOLM

director of the Leadership Conference on Civil Rights, said she was "outraged" by Rockefeller's role in the bloodbath and added, "Our dear President endorsed his position."

Congress members protest

Reps. Shirley Chisholm (D-NY), Charles Rangel (D-NY), and Ronald Dellums (D-Calif.), in a joint statement charged that the "most abominable and inhuman conditions" in the nation's prisons had been known months in advance, "yet the continuing response to these conditions has been nothing but rhetoric."

They said the atrocities at Attica state prison must "shake the



REP. RONALD V. DELLUMS

conscience of this nation to move toward eradication of treatment that continues to perpetuate man's inhumanity to man."

The D.C. People's Coalition for Peace and Justice, in a leaflet distributed at the Justice Department today, charged that the massacre at Attica "recalls the murder of Soledad Brother George Jackson at San Quentin prison last month," and added, "It also recalls the frame-up and imprisonment of Angela Davis, who also fought for prison reforms and brings a new urgency to the fight for her life and for the lives of all those unjustly imprisoned by this nation's racist courts."

Post _____
 Daily News _____
 Star (Washington) _____
 Star (Washington) _____
 New York _____
 Times _____
 Herald _____
 Journal _____
 Observer _____

Date _____

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/16/71SUMMARY

Attached is a lengthy statement to the press by Commissioner Russel G. Oswald, New York State Corrections System, concerning the situation at Attica State Prison.

Most significant is reversal of earlier statements attributed to Oswald concerning cause of death of the hostages. Oswald did state that the bodies showed slash marks, puncture wounds, apparent broken arms, blackened eyes and abrasions.

Oswald denied having previously told newsmen that hostages died from having their throats slashed. This statement to the press is but another instance of the New York State Officials talking when they should be listening. Much of the problem at Attica can be traced to indecisive action and irresponsible loose talk for public consumption. Because of the rumors and half truths being spread, the true facts of the Attica mutiny may never be revealed.

Since this is a public statement, no dissemination is being made of it.

TJS:lac

EDW
SR
WJS
41
DK room
gmr

SEP 16 1972

TELETYPE

FROM BUFFALO (157-1367) 10P

75 STATE PRISON

END PAGE ONE

SEP 29

399

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Miller
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Pendergast
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

PAGE TWO

WOUNDS. WE THOUGHT YOU SHOULD, HOWEVER, HAVE TH^S ADDITIONAL INFO.

"THE FIRST QUESTION WE MUST ANSWER IS WHY THE EXACT CAUSE OF DEATH WAS NOT KNOWN UNTIL THIS LATE HOUR. THE SECOND QUESTION THAT MUST BE RESOLVED IS HOW ANY OF THESE HOSTAGES COULD HAVE DIED BY GUNSHOT.

"IN RESPONSE TO THE FIRST QUESTION ON THE LATENESS OF THE ACTUAL CAUSE OF DEATH, THERE ARE A NUMBER OF FACTORS THAT COULD HAVE CONTRIBUTED TO THE ERRONEOUS REPORT OF SLASHED THROATS:

"I. FOR FOUR DAYS PRECEDING THE RESTORATION OF LAW AND ORDER, THE INMATES HAD THREATENED ON NUMEROUS OCCASIONS THAT THEY WOULD KILL ALL HOSTAGES THE INSTANT THAT ANY FORCE BY AUTHORITIES WAS APPLIED. THIS WAS TOLD TO ME PERSONALLY BY INMATES ON SEVERAL OCCASIONS.

"II. SEVERAL CORRECTION OFFICERS AND OTHER INDIVIDUALS WHO VIEWED THIS ACTION POSITIVELY STATED THAT THEY HAD SEEN HOSTAGES DROP AS THEIR THROATS WERE APPARENTLY CUT.

"III. IN THE CONFUSION THAT EXISTED DURING THE EVACUATION OF CASUALTIES, VARIOUS INDIVIDUALS WHO WERE ASSISTING IN THE
END PAGE TWO

PAGE THREE

EVACUATION AND WHO WERE NOT QUALIFIED TO IDENTIFY WHETHER THE EVACUEE WAS A HOSTAGE OR AN INMATE, REPORTED THAT A NUMBER OF THOSE EVACUATED DID HAVE SLASHED THROATS.

"THIS FACT HAS BEEN VERIFIED SINCE THERE ARE TWO HOSTAGES NOW IN THE HOSPITAL KNOWN TO HAVE LACERATED THROATS.

"AND FINALLY, AT THE INSTANT OF THE MOVE TO REGAIN THE TOTAL FACILITY, SEVERAL EYE WITNESSES VERIFIED THAT HOSTAGES WERE BEING HELD AT WHAT APPEARED TO BE KNIFE POINT AT SO-CALLED TIMES SQUARE WITHIN THE PRISON COMPOUND.

"FACTS NOW AVAILABLE SHOW THAT THE DECEASED WERE MOVED SUCCESSFULLY TO TWO MORGUES AND ARE NOW AT THE MORTUARIES OF NEXT OF KIN.

"IN SUMMARY, IT WAS POSSIBLE FROM ALL THESE REPORTS, RUMORS, AND FACTS, FOR SOME UNAUTHORIZED REPORT TO BE MADE TO THE EFFECT THAT ALL HOSTAGES HAD DIED OF SLASHED THROATS. YOU KNOW THAT I NEVER TOLD YOU THIS.

"THE SECOND QUESTION TO BE ANSWERED, "HOW COULD ANY HAVE DIED FROM GUNSHOT WOUNDS?" THERE ARE SEVERAL ANSWERS TO THIS
END PAGE THREE

PAGE FOUR

QUESTION, THE MOST IMPORTANT AN OBVIOUS ANSWER IS THE FACT THAT THE INMATES HAD DRESSED ALL HOSTAGES IN PRISON GARB TO INSURE DIFFICULTY OF IDENTIFICATION BETWEEN INMATE AND HOSTAGE.

"ADDITIONALLY, HOSTAGES COULD VERY WELL HAVE BEEN USED AS SHIELDS OR FORCED FORWARD INTO GUNFIRE TO SUGGEST THAT THEY WERE NOT HOSTAGES AND COULD HAVE BEEN MISTAKEN FOR SUCH BECAUSE OF THEIR PRISON GARB. THE PATHOLOGIST TOLD US THAT ALL OF THOSE HE EXAMINED HAD THEIR FEET AND HANDS BOUND.

"HERE ARE SOME FACTS OF INTEREST THAT BEAR OUT OUR CONCERN AND HAVE A DISTINCT BEARING ON OUR ACTIONS.

"APPROX. FOUR HUNDRED HOMEMADE WEAPONS WERE RECOVERED IN THE PRISON AREA DIRECTLY AFTER THE ACTION TO RECOVER THE PRISON. TODAY, ADDITIONAL HUNDREDS OF WEAPONS WERE UNCOVERED.

THEY CONSISTED OF SUCH ITEMS AS DOZENS OF:

"MOLOTOV COCKTAILS, SHEARS, SPEARS, TABLE KNIVES, STEEL AND METAL PIPES WITH TAPED HANDLES, CLUBS, TWO TEAR GAS GUNS, PROJECTILES FOR THE GUNS, SWORDS WELL MADE FROM FLAT STEEL WITH HANDLES, WIRE BOLOS, SOME WITH RAZOR BLADES ATTACHED, A
END PAGE FOUR

PAGE FIVE

HALF DOZEN STRAIGHT RAZORS AND BASEBALL BATS WITH EXTENDED SPIKES .

"MINE SWEEPERS ARE NOW BEING USED TO UNCOVER OTHER WEAPONS .

"TO ILLUSTRATE THE PROBLEM OF EMOTIONAL PRESSURE AND TENSION , A PRESS INTERVIEW WITH A HOSTAGE REPORTEDLY SAID THAT EIGHT HOSTAGES HAD THEIR THROAT SLIT . HIS STATEMENT WAS REPORTED IN AN ARTICLE PRINTED THIS MORNING , SEPT . FOURTEEN .

"I CAN ATTEST TO THE TREMENDOUS EMOTIONAL TENSION HOSTAGES ARE STILL UNDER . I TALKED WITH ONE TODAY . I WAS NOT A HOSTAGE AND I FEEL THE TENSION AND AM THINKING LESS CLEARLY THEN I DID SIX DAYS AGO .

"WHAT IS CLEARLY KNOWN AND WHAT HAS BEEN VERIFIED BY FREED HOSTAGES , STATE POLICE AND HELICOPTER CREWS WHO VIEWED THE SCENE , IS THAT EVERYONE OF THE THIRTY -EIGHT HOSTAGES WAS HELD WITH A KNIFE AT THE THROAT , A CROWBAR AT HIS HEAD , OR OTHER WEAPON , AWAITING TO BE KILLED .

"IT HAS NOW BEEN REPORTED THAT EACH HOSTAGE HAD BEEN
END PAGE FIVE

PAGE SIX

ASSIGNED AT LEAST ONE EXECUTIONER. THE RESCUE OPERATION SAVED TWENTYNINE OF THESE THIRTYEIGHT MEN.

"TODAY AT THE INSTITUTION THE PRIMARY OBJECTIVE WAS TO SEE THAT EVERY INMATE WAS EXAMINED BY A QUALIFIED MEDICAL DOCTOR, AND, ANY INDIVIDUAL IN NEED OF MEDICAL TREATMENT HAS RECEIVED THIS TREATMENT. WE LOOK FOR POTENTIALLY SERIOUS CASES THAT COULD BE SENT TO OUR INSTITUTIONAL HOSPITAL. IN ADDITION, AT THE INSTITUTIONAL HOSPITAL NUMEROUS OPERATIONS WERE PERFORMED. FURTHERMORE, SOME INMATES WERE VERY SERIOUSLY INJURED AND MEDICAL PROCEDURES REQUIRED FOR THEIR AILMENTS WERE NOT AVAILABLE AT THIS INSTITUTION. THEREFORE, THEY WERE SENT BY AMBULANCE TO THE EDWARD J. MEYER MEMORIAL HOSPITAL IN BUFFALO, NEW YORK. THIS INTENSIVE MEDICAL PROGRAM BY WHICH WE EXAMINED ALL PRISONERS WAS MADE POSSIBLE THROUGH THE COOPERATION OF THE STATE DEPARTMENT OF HEALTH AND THE VARIOUS HOSPITALS IN THE CITIES OF ROCHESTER, BUFFALO, BATAVIA, AND WARSAW. THERE WERE BETWEEN FORTY AND FIFTY DOCTORS BROUGHT IN, IN ADDITION TO THE MEDICAL STAFF WHICH WAS ALREADY HERE TO CONDUCT THESE EXAMINATIONS. IN ADDITION, THERE WERE TWENTYONE NURSES ASSISTING.

END PAGE SIX

PAGE SEVEN

A MEDICAL TEAM CAME FROM AS FAR AS ELMIRA, NY TO AID.

"CLOTHING AND SHOES WHICH WERE SCATTERED ABOUT THE YARD IN THE INSTITUTION WERE COLLECTED AND ROUTED TO BE LAUNDERED SO THAT THESE BADLY NEEDED ITEMS COULD BE RECLAIMED.

"A PRELIMINARY ASSESSMENT OF DAMAGED AREAS WAS MADE TODAY BY THE DEPARTMENT'S CHIEF OF ENGINEERING IN PREPARATION FOR A THOROUGH INSPECTION BEGINNING TOMORROW MORNING BY A TEAM OF ENGINEERS AND ARCHITECTS FROM ALBANY. AT THIS TIME, IT APPEARS THAT ON A PRIORITY ORDER, THE EFFORT SHOULD BE TO REPAIR HOUSING D AND B BLOCKS, WHICH WOULD PROVIDE ABOUT ONE THOUSAND USEABLE CELLS WHICH ARE NEEDED. GATES AND LOCKS WILL NEED INSPECTION AND REPAIR TO ASSURE SECURITY. CRITICAL AREAS INCLUDE THE LAUNDRY, SHOWER FACILITIES AND THE BARBER SHOP. IN ADDITION, THE AUDITORIUM AND CHAPEL WILL NEED INSPECTION AS TO THE SAFETY AND ROOF REPAIR; AND MAINTENANCE SHOPS, STORE HOUSE, AND WAREHOUSING AREAS WILL NEED REFURBISHING. ASSESSMENTS WILL BE MADE ALSO OF BUILDING WHICH COULD PROGRAM AREAS SUCH AS VOCATIONAL TRAINING AND SCHOOLS AND CLASSROOM SPACE,
END PAGE SEVEN

PAGE EIGHT

BUT THESE WILL HAVE TO RECEIVE SECONDARY PRIORITY IN TERMS OF REFURBISHING OR REPLACEMENT .

"FORTUNATELY , TWO MAJOR CELL BLOCKS , A AND C , ARE OPERATIONAL AND MESS HALL AND KITCHEN AREAS AND COLD STORAGE AREAS ARE FULLY OPERATIONAL . IT IS UNFORTUNATE , HOWEVER , THAT A BLOCK , DESIGNED FOR FOUR EIGHT ONE , IS BEING USED TO HOUSE THE ONE TWO FOUR ONE INMATES WHO WERE INVOLVED IN THE DISTURBANCE . THIS MEANS THAT MOST ARE BEING HOUSED THREE TO A CELL . IT HAS ALWAYS BEEN THE NEW YORK PRISON SYSTEMS GOOD FORTUNE THAT THERE WERE SUFFICIENT CELLS SO THAT EACH MAN COULD HAVE HIS OWN CELL . THREE OR TWO TO A CELL IS HIGHLY UNDESIRABLE AND BEING USED ON AN EMERGENCY BASIS . IMMEDIATE STEPS ARE BEING TAKEN TO DEVELOP DRAFTS OF MEN , FORTY AT A TIME , FOR TRANSFER TO OTHER FACILITIES OF THE DEPARTMENT . ROUGHLY ONE FIVE ZERO INMATES WERE TRANSFERRED TODAY , DIVIDED BETWEEN THE CLINTON CORRECTIONAL FACILITY AT DANNEMORA AND THE GREAT MEADOW FACILITY AT COMSTOCK .

"ANOTHER INMATE 'S BODY WAS FOUND TODAY IN A MOP ROOM AREA
END PAGE EIGHT

PAGE NINE

IN ONE OF THE BUILDINGS AND HE HAD EVIDENTLY DIED OF MULTIPLE STABBING AND BEATING WOUNDS WHICH COULD ONLY HAVE OCCURRED AT THE HANDS OF THE INMATES WHO WERE IN THE D BLOCK YARD AREA DURING THE DISTURBANCE .

"I THINK YOU SHOULD KNOW ABOUT AN INMATE WE FOUND YESTERDAY WHICH WAS NOT PREVIOUSLY BEEN REPORTED TO THE PRESS . THIS INMATE WAS FOUND BURIED IN A TRENCH WHICH THE INMATES DUG NEAR A SIDE-WALK . WHEN FOUND HE WAS COMPLETELY STIFF .

"GENTLEMEN : THIS IS A POST -OPERATION REPORT .

"MEMBERS OF THE PRESS : EVERY ONE OF YOU HAS REASON TO BE PROUD OF YOUR CORRECTIONAL OFFICERS , THE STATE POLICE , THE NATIONAL GUARD , AND THE MEMBERS OF THIS COMMUNITY WHO ASSISTED DURING THIS TRAGIC AFFAIR . THANK YOU FOR WAITING , AND PLEASE KNOW HOW DEEPLY I APPRECIATE YOUR KINDNESS AND UNDERSTANDING ."

END PAGE NINE

PAGE TEN

[REDACTED] NYS DEPT.

b6
b7C

OF CORRECTIONS ADVISED TODAY AS FOLLOWS:

GOVERNOR'S OFFICE JUST RELEASED STATEMENT ON BEHALF
OF COMMISSIONER OSWALD DISCLOSING THAT INVESTIGATION OF
CAPTIONED MATTER HAS PASSED INTO CONTROL OF NYS DEPUTY
ATTORNEY GENERAL [REDACTED] COMMISSIONER OSWALD
MUST PURSUE HIS DUTIES IN CONNECTION WITH ALL OF THE
CORRECTIONAL FACILITIES OF THE STATE.

b6
b7C

[REDACTED] IS DEPUTY AG IN CHARGE OF NYS ORGANIZED CRIME
TASK FORCE.

AT SIX PM SEPT. FIFTEEN INSTANT NYS [REDACTED]

b6
b7C

[REDACTED] ADVISED AS FOLLOWS:

CLAUDE PEPPER, CHAIRMAN OF U.S. HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON CRIME, AND THREE CONGRESSMEN WILL MEET NYS GOV.
ROCKEFELLER IN NEW YORK CITY SEPT. SEVENTEEN NEXT AFTER WHICH
THEY WILL TRAVEL TO ATTICA, NY TO MAKE INQUIRIES AND
OBSERVATIONS RE CAPTIONED MATTER. IDENTITIES OF LATTER
THREE CONGRESSMEN NOT KNOWN TO [REDACTED] BUT TWO ARE FROM
NEW YORK STATE AND ONE FROM ARIZONA. FOREGOING WILL BE
PUBLICLY ANNOUNCED LATER BY NYS OFFICIALS.

P.

ADMINISTRATIVE

NR 019 CG CODED

1103PM NITEL 9-14-71 LAK

TO DIRECTOR (100-437041)

ATTN: DID

FROM CHICAGO (100-39748) (P) 2P

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Fonder	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

Handwritten signatures and initials:
Holt
Casper
Shackelford
Walters

DEMONSTRATION AT NEW YORK STATE DEPARTMENT OF COMMERCE, SEVEN SOUTH
DEARBORN, CHICAGO, ILLINOIS, SEPTEMBER FOURTEEN, INSTANT.

Handwritten signature: R. B. [unclear]

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK; EXTREMIST MATTER.

SH. K. [unclear]

SOURCE RELIABLE ADVISED INSTANT PROGRESSIVE LABOR PARTY
AND STUDENTS FOR A DEMOCRATIC SOCIETY/WORKER STUDENT ALLIANCE
WOULD DEMONSTRATE TO PROTEST RIOT AT ATTICA, NEW YORK.

AT FOUR THIRTY P.M. APPROXIMATELY FIFTY MEMBERS AND
SUPPORTERS OF PLP AND SDS DEMONSTRATED IN FRONT OF CAPTIONED
OFFICE TO PROTEST "ALLEGED" RACIST MURDERS OF INMATES AT
CAPTIONED CORRECTIONAL FACILITY.

END PAGE ONE

"cc to [unclear]
Adm. data deleted"

Handwritten: 44-50605
157-23105-

NOT RECORDED

28 SEP 20 1971

ORIGINAL FILED IN

57 SEP 2 1971

PAGE TWO

DEMONSTRATION PEACEFUL, LASTING APPROXIMATELY ONE
HOUR. UNIFORMED CHICAGO PD OFFICERS ON SCENE AND MAINTAINED
ORDERLY TRAFFIC FLOW.

NO INJURIES, PROPERTY DAMAGE OR ARRESTS.

PERTINENT AGENCIES COGNIZANT.

ADMINISTRATIVE

SOURCE IS

[REDACTED]

BUREAU

AGENTS OBSERVING,

[REDACTED]

NO LHM IS BEING SUBMITTED.

END

FBI WA RDR

b6
b7C
b7D

ROOM 7124. ELO

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 15 1971

TELETYPE

NR 007 BU CODE

212AM URGENT 9-15-71 PXM

TO DIRECTOR (ATTN: DOMESTIC INTELLIGENCE DIVISION) (URGENT)

BOSTON (176-60) (NITEL)

CHICAGO (176-5 SUB C) (NITEL)

NEW HAVEN (176-1) (NITEL)

WASHINGTON FIELD (176-84) (NITEL)

NEW YORK (NITEL)

FROM BUFFALO (157-1367) 5P

Attica State Prison

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,
N.Y. EXTREMIST MATTER.

DATE 11/13/81 BY SP-5 RJG/AB

Handle according to previously release of 190-1635-6
AKA ET AL (TRAVEL OF DEFENDANTS) ARL

DASH CONSPIRACY ; COC ; OO ; CHICAGO ; (BUFFALO FILE ONE SEVEN SIX
TWO ONE)

EX-102

REC-40

157-231053
44-50605-36
12 SEP 23 1971

A RELIABLE SOURCE ADVISED TODAY THAT STUDENT ASSOCIATION (SA),
STATE UNIVERSITY OF NEW YORK AT BUFFALO (SUNYAB), A RECOGNIZED
CAMPUS ORGANIZATION WHICH PRESENTS SPEAKERS OF VARYING POLITICAL
POSTURE, SPONSORED A SPECIAL PROGRAM REGARDING ATTICA CORRECTIONAL
FACILITY RIOT ON CAMPUS TODAY. GUEST SPEAKERS WERE SCHEDULED AS
DAVID TYRE DELLINGER, JOHN FROINES AND RENNARD DAVIS, THREE OF

END PAGE ONE

55 SEP 30 1971

SEP 23 1971

cc to IDIU
Adm. data deleted

Mr. Tolson	
Mr. Felt	
Mr. Sullivan	
Mr. Mohr	
Mr. Bishop	
Mr. Brennan, C.D.	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Gale	
Mr. Ponder	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

UNRECORDED COPY FILED IN

157-1410-16

b6
b7C

PAGE TWO

"CHICAGO SEVEN" DEFENDANTS. PROGRAM STARTED APPROX. FOUR FIFTEEN PM WITH FIVE HUNDRED STUDENTS PRESENT. TWO LOCAL SPEAKERS REPRESENTING SA OPENED PROGRAM AND ADVISED THEY ARE CALLING FOR MORATORIUM ON CLASSES AT SUNYAB SEPT. SIXTEEN/SEVENTEEN NEXT FOR FORUMS RE ATTICA RIOT.

SPEAKERS REPRESENTING PRISONERS SOLIDARITY COMMITTEE, PRISON REFORM GROUP SPONSORED BY YOUTH AGAINST WAR AND FASCISM, AND REPRESENTATIVES OF LINCOLN MEDICAL SOCIETY, DESCRIBING THEMSELVES AS A GROUP OF DOCTORS FROM NEW YORK CITY CONCERNED WITH HEALTH FACILITIES IN PRISONS, BOTH GAVE SHORT ACCOUNTS OF THEIR ACTIVITIES AT ATTICA.

JOHN FROINES WAS INTRODUCED AS NEXT SPEAKER AND GAVE SHORT TALK ON SOLIDARITY WITH ATTICA PRISONERS. STATED PRISONERS ARE LIVING REVOLUTIONAIRES WHOSE STRUGGLE MUST BE FOLLOWED. FROINES INDICATED PEOPLE MUST MOVE INTO COLLECTIVE RESISTANCE AND SERVE EVICTION NOTICES ON GOV. NELSON ROCKEFELLER AND PRESIDENT RICHARD M. NIXON, AND PRISON OFFICIALS OF THE STATE OF NEW YORK. HE STATED, "IF INSTITUTIONS ARE UNRESPONSIVE, THEN THEY MUST BE SHUT DOWN." HE INDICATED THAT, IF AN INDIVIDUAL FEELS IT IS HIS RESPONSIBILITY TO ATTEMPT TO ACHIEVE THESE ENDS, HE SHOULD CARRY OUT WHATEVER IS NECESSARY TO DO SO.

END PG TWO

PAGE THREE

NEXT SPEAKER WAS NYS ASSEMBLYMAN ARTHUR O. EVE, BUFFALO, WHO SPOKE OF HIS ACTIVITIES ON NEGOTIATING TEAM AT ATTICA STATE PRISON AND THE FRUSTRATION OF SEEING ALL OF THEIR ATTEMPTS COME TO NOUGHT. HE ASKED EVERYONE TO WORK TWARD BRINGING THE DEMANDS OF THE PRISONERS TO PUBLIC ATTENTION STATEWIDE, NATIONWIDE AND WORLD-WIDE IN ORDER TO ATTEMPT TO PREVENT ANOTHER ATTICA FROM OCCURRING.

FINAL SPEAKER WAS DAVID TYRE DELLINGER WHO GAVE A LOW-KEYED SPEECH REGARDING THE ATTICA RIOT. DELLINGER STATED THAT WITH RESPECT TO FACTIONALISM IN THE ANTI-WAR MOVEMENT REGARDING ISSUES, HE FEELS THAT THE TIME HAS NOW DEFINITELY COME FOR THE ANTI-WAR MOVEMENT TO PURSUE OBJECTIVES SUCH AS WELFARE AND PRISON REFORM. HE STATED IT CALLED TO MIND THE YEAR NINETEEN SIXTYSIX WHEN MARIN LUTHER KING'S ADVISORS WERE ADVISING HIM TO MAKE A STATEMENT AGAINST THE WAR IN VIETNAM. HE STATED THAT, AS KING MADE AN ANTI-WAR STATEMENT, HE (DELLINGER) NOW FEELS THE ANTI-WAR MOVEMENT SHOULD ADDRESS ITSELF TO ISSUES OF CIVIL RIGHTS, WELFARE AND PRISON REFORM.

END OF PAGE THREE

PAGE FOUR

DELLINGER STATED, IN ANSWER TO CRITICS WHO WOULD CHARACTERIZE THE ATTICA PRISONERS AS MURDERERS, HE CONSIDERS THE CHIEF MURDERER IN U.S. TO BE PRESIDENT RICHARD M. NIXON. HE STATED WITH RESPECT TO GOV. ROCKEFELLER, THAT IF HE EVER WON ANOTHER ELECTION IT WOULD BE THE BIGGEST CONDEMNATION FOR OUR COUNTRY AND A COUNTRY WHICH WOULD ALLOW THIS COULD WELL BE COMPARED TO NAZI GERMANY.

DELLINGER CONCLUDED HIS REMARKS BY DISCUSSING BRIEFLY THE SEVENTYONE FALL OFFENSIVE PLANNED BY PEOPLES COALITION FOR PEACE AND JUSTICE (PCPJ). HE STATED THAT ON OCT. SEVEN NEXT, PCPJ, EAST COAST CONSPIRACY TO SAVE LIVES (ECCSL) AND OTHER GROUPS WOULD SPONSOR DEMONSTRATIONS AT DANBURY PRISON, ALLISTON PRISON, SAN QUENTIN, TERMINAL ISLAND, LOS ANGELES, SPRINGFIELD FEDERAL PRISON AND JOLIET PRISON. HE STATED IT WOULD BE UP TO INDIVIDUALS IN BUFFALO IF THEY WANTED ATTICA ADDED TO THIS LIST.

DELLINGER STATED THAT ON OCT. THIRTEEN NEXT, THERE WILL BE MORATORIUM ON BUSINESS AS USUAL WITH CALL FOR WORK STOPAGES AND A GENERAL NATIONWIDE STRIKE.

ON OCT. FIVE, VETERAN'S DAY, THE VIETNAM VETERANS AGAINST THE WAR IS CALLING FOR REPRESENTATIVES IN ALL VETERANS DAY PARADES AND THIS DATE WILL BE THE FIRST RETURN TO WASHINGTON, D.C. FOR PCPJ, AT WHICH TIME A PLANNED ONE WEEK OF NON-VIOLENT DIRECT ACTION AND CIVIL DISOBEDIENCE WOULD PROTEST AT HEALTH EDUCATION AND WELFARE, DEPARTMENT OF JUSTICE, PENTAGON AND STATE DEPARTMENT. HE CONCLUDED BY SAYING THERE WOULD BE MASS MARCHES AND RALLIES NOV. SIX, SEVENTY-ONE, THROUGHOUT COUNTRY.

END OF PAGE FOUR

PAGE FIVE

SOURCE STATED SPEECHES WERE CONCLUDED APPROX. SIX P.M. AND NO INDICATION WAS GIVEN OF ANY FURTHER RALLIES OR DEMONSTRATIONS TO BE PARTICIPATED IN BY [REDACTED]

b6
b7C
b7D

SOURCE TWO WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST ADVISED [REDACTED] BUT APPEARED RELUCTANT TO MAKE A SPEECH BECAUSE OF POSSIBILITY OF BAIL REVOCATION.

ADMINISTRATIVE

RE MY TEL SEPT. FOURTEEN LAST: RE CHICAGO TEL SEPT. FOURTEEN LAST CAPTIONED [REDACTED] AKA ET AL (TRAVEL OF DEFENDANTS) ARL -CONSPIRACY;COC ;"

b6
b7C
b7D

SOURCE ONE [REDACTED]

[REDACTED] (PROTECT BY REQUEST).

SOURCE TWO IS [REDACTED]

SINCE FULL SECURITY COULD NOT BE GUARANTEED, SPEECH NOT TAPED.

END

RECD 008 007

DCW FBI WASH DC

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 15 1971

NR 008 BU CODE

TELETYPE

210AM URGENT 9-15-71 PXM

TO DIRECTOR (ATTENTION: DOMESTIC INTELLIGENCE DIVISION)

FROM BUFFALO (157-1367) 1P

ATTICA STATE PRISON

RIOT BY INMATES NEW YORK STATE (NYS) CORRECTIONAL FACILITY

ATTICA, NY, EXTREMIST MATTER.

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

WBEN TELEVISION, BUFFALO, N.Y. REPORTED SEPT. FOURTEEN LAST THAT RUSSELL G. OSWALD, NYS COMMISSIONER OF CORRECTIONS, AT A PRESS CONFERENCE LATE EVENING OF SEPT. FOURTEEN LAST AT ATTICA STATE PRISON REVERSED EARLIER STATEMENTS AND CONFIRMED THAT NINE HOSTAGES HAD BEEN KILLED BY GUNFIRE. OSWALD STATED DOES NOT KNOW WHERE SHOTS CAME FROM BUT CONCEDED THAT IT IS NOT KNOWN THAT THE INMATES HAD GUNS.

[REDACTED] BUREAU OF CRIMINAL INVESTIGATION,
NYSP, ADVISED BCI INVESTIGATORS AND MEDICAL EXAMINER FROM WESTCHESTER COUNTY NEW YORK INTEND TO CONDUCT ANOTHER EXAMINATION OF ALL HOSTAGES BODIES MORNING OF SPET. FIFTEEN, SEVENTYONE.

AGENCY: CRD, ISD, ~~IIU~~, RAO, ~~OD~~,
ACSI, ~~OST~~ SS

P. HOW FORW: AKS

DATE FORW: SEP 22 1971

BY: [Signature]

Included in letter to White House
and Attorney General. Date 9/15/71

ADMINISTRATIVE

REMYTEL SEPT. FOURTEEN LAST.

BUREAU WILL PROMPTLY BE ADVISED OF FURTHER DEVELOPMENTS.

HODD

HOLD

"cc to IDIU
Adm. data deleted"

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9-15-71

Attached concerns the riot which occurred at New York State Correctional facility in Attica, New York. Although press releases are saying that 32 inmates and 10 hostages were dead, our Buffalo Office has advised in attached and subsequently confirmed that the total as of 6 pm 9-15-71 was 30 inmates and 10 hostages dead. Governor Rockefeller has selected Judge Harry D. Goldman of Rochester, New York, to appoint a five-man non-partisan panel to safeguard the constitutional rights of the prisoners at the Correctional facility. According to Goldman, Governor Rockefeller is concerned that there will be an objective fact-finding concerning the riot and wants to insure that the recommendations of Commissioner Russell G. Oswald which were made to the prisoners are carried out wherever possible. Goldman identified himself politically as a liberal and interested in civil rights. He is 67 years of age and presiding justice, Appellate Division, New York State Supreme Court, to which he was elected in 1956.

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

ABK:lrs

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 15 1971

TELETYPE

Mr. Tolson _____
Mr. Mohr _____
Mr. Sullivan _____
Mr. Bishop _____
Mr. Miller _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Pennington _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR 001 BU CODE

3-53 PM URGENT 9-15-71 JVV

TO DIRECTOR

ATTN: DID

FROM BUFFALO (157-1367) 3P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA, NEW YORK, EM.
Extremist Matter

A RELIABLE SOURCE ADVISED THAT ONE ADDITIONAL ATTICA INMATE DIED IN A BUFFALO HOSPITAL TODAY FROM WOUNDS RECEIVED IN ASSAULT ON RIOTERS. TOTAL DEAD NOW IS THIRTY INMATES AND TEN EMPLOYEES.

A SECOND RELIABLE SOURCE ADVISED TODAY A TEAM OF MEDICAL DOCTORS RETAINED BY NEW YORK STATE (NYS) FROM ROCHESTER AND BUFFALO, NEW YORK HAS COMPLETED EXAMINATION OF APPROXIMATELY TWELVE HUNDRED INMATES INVOLVED IN RIOT. FOUR INMATES FOUND WHO REQUIRED HOSPITALIZATION FOR INJURIES.

AN ARTICLE IN SEPTEMBER FIFTEEN INSTANT EDITION OF "BUFFALO COURIER EXPRESS," LOCAL DAILY NEWSPAPER, REPORTED THAT GOVERNOR NELSON A. ROCKEFELLER HAS SELECTED JUDGE HARRY D. GOLDMAN OF

END PAGE ONE

cc to [unclear]
Adm. data deleted

Presiding Justice, Appellate Division, New York Supreme Court, Fourth Dept.

Included in letter to [unclear] and Attorney General.

B. APPROX. 1904

AGENCY: CRD, FBI, ITO, RAB, [unclear]
HOW FORM: [unclear]
DATE FORM: [unclear]
BY: [unclear]

REC 20
11.11

5-Trian

Geo. Moore

Prison [unclear]
[unclear]

R. [unclear]
[unclear]
[unclear]

ST-109

REC 20

7 SEP 24 1971

157-1367

Rockefeller N.Y.

9/16/71

PAGE TWO

ROCHESTER, NY, TO APPOINT A FIVE-MAN NONPARTISAN PANEL TO SAFEGUARD THE CONSTITUTIONAL RIGHTS OF PRISONERS AT ATTICA CORRECTIONAL FACILITY (ACF).

GOLDMAN STATED GOVERNOR ROCKEFELLER EXPRESSED CONCERN THAT "THE PUBLIC SHOULD FEEL THE CONSTITUTIONAL RIGHTS OF THE PRISONERS - NOTWITHSTANDING WHAT HAS HAPPENED - SHOULD BE COMPLETELY SAFE-GUARDED." ACCORDING TO GOLDMAN, GOVERNOR ROCKEFELLER IS GENUINELY CONCERNED THERE WILL BE OBJECTIVE FACT-FINDING CONCERNING THE ATTICA SITUATION AND WANTS TO INSURE THE RECOMMENDATIONS OF COMMISSIONER RUSSELL G. OSWALD ARE CARRIED OUT WHEREVER POSSIBLE. GOLDMAN IDENTIFIED THESE RECOMMENDATIONS AS THE TWENTYEIGHT PRISONER DEMANDS OSWALD HELD WERE JUSTIFIED.

GOLDMAN WILL NAME PERSONS FROM PRINCIPAL ETHNIC GROUPS (BLACK AND PUERTO RICAN) INVOLVED IN THE ATTICA UPRISING AS WELL AS PERSONNEL EXPERT IN CORRECTION FACILITY PROCEDURE AND PRISON REFORM.

GOLDMAN DEFINED HIMSELF POLITICALLY AS A LIBERAL AND VERY MUCH INTERESTED IN CIVIL RIGHTS.

ARTICLE IDENTIFIES GOLDMAN, AGE SIXTYSEVEN, AS PRESIDING JUSTICE, APPELLATE DIVISION, NYS SUPREME COURT, FOURTH DEPARTMENT.
END PAGE TWO

PAGE THREE

HE WAS ELECTED TO NYS SUPREME COURT IN FIFTYSIX AND APPOINTED TO APPELLATE DIVISION IN FIFTYSEVEN.

ADMINISTRATIVE:

REMYTELS SEPTEMBER FOURTEEN LAST.

FIRST SOURCE IS

SECOND SOURCE IS

INDICES OF BUFFALO OFFICE SHOW A HARRY D. GOLDMAN, NOT FURTHER IDENTIFIED, AS BEING ON ADVISORY COMMITTEE OF ROCHESTER BRANCH OF RUSSIAN WAR RELIEF, INC., IN APRIL, FORTYFIVE, AS SET FORTH IN REPORT OF SA [REDACTED], DATED JUNE THIRTY, FORTYFIVE, AT BUFFALO, AND CAPTIONED "RUSSIAN WAR RELIEF, INC.; IS (C)."

Internal Security-Communist

END

LRS FBI WASHDC

b6
b7C
b7D

CC- MR. TRAINOR
ROOM 712-A 9&D

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9-15-71

Attached states attorney William Kunstler held a press conference in New York City on 9-15-71 and called for a mass demonstration in New York City on 9-18-71 to protest the recent violence at New York State Correctional facility, Attica, New York.

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

ABK:lrs

*gmm
da**W.H.K.**PCP**4
PCP
7**815
gm*

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 15 1971

TELETYPE

NR26 NY PLAIN

918 PM URGENT 9-15-71 FPN

TO DIRECTOR

ATT DID

FROM NEW YORK

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

DEMONSTRATION UNION SQUARE, NYC, SEPTEMBER ONE EIGHT NEXT
PROTESTING VIOLENCE AT ATTICA STATE PRISON, NY; CIVIL UNREST

ON THIS DATE ONE DET. [REDACTED] SECURITY AND INVESTIGATION
SECTION NYCPD ADVISED THAT ATTORNEY WILLIAM KUNSTLER HELD A
PRESS CONFERENCE THIS DATE IN NYC AND CALLED FOR A MASS
DEMONSTRATION AT UNION SQUARE, NYC AT ONE PM SEPTEMBER ONE
EIGHT NEXT. KUNSTLER CALL WAS FOR ALL ORGANIZATIONS TO JOIN
IN PROTEST. [REDACTED] STATED THAT IT WAS ASSUMED THIS MEANT NEW
LEFT, PEACE GROUPS, BLACK ORGANIZATIONS AND ANYONE ELSE THAT
WANTED TO ENGAGE IN THE PROTEST DEMONSTRATION. USA, SONY ADVISED
OF ABOVE. Attorney Southern District
New York

ADMINISTRATIVE

NYO WILL FOLLOW CLOSELY AND ADVISE OF ALL SIGNIFICANT INFO.

END 3437

FBI

RECEIVED-10F30N

EX-100

REC-55

SEP 21 1971

SEP 27 1971

MR. TRAINOR

3 ON VH.11

cc to IDIU
Adm. data deleted

44-50605-38X

UNRECORDED COPY FILED IN

100-431617

National drive launched

By IRENA KNIGHT

NEW YORK, Sept. 15 — A national campaign of demonstrations was announced today at a press conference here to protest the inhuman conditions at Attica prison and penal systems throughout the nation.

The announcement follows in the wake of the massacre of more than 30 inmates Sunday at Attica prison when Gov. Rockefeller refused the negotiating team more time to settle the question of amnesty.

William Kunstler, civil rights lawyer and a member of the negotiating team was present at the press conference and called for Rockefeller's resignation.

"Rockefeller has blood on his hands like Lt. Calley," he said.

To demonstrate Oct. 2

A call to demonstrate on Oct. 2 was issued by a coalition of organizations, which includes the Catholic Peace Fellowship, the Danbury Committee on Prisons, the Free Angela Davis Committee, the People's Coalition for Peace and Justice (PCPJ), and the Prisoner's Solidarity Committee.

The New York Free Angela Davis Committee announced today that it was turning its Sept. 25 Central Park rally into a demonstration also in support of the Attica prisoners.

Beside demonstrations at Attica prison, rallies have been scheduled at Danbury Federal Prison, Conn.; Alderson, W. Va.; Women's Penitentiary, Kentucky; Los Angeles Terminal Island; San Quentin and Springfield, Mo.

Demonstration Saturday

Al Hubbard, executive secretary of the Vietnam Veterans Against the War, and a member of the na-

tional steering committee of the People's Coalition for Peace and Justice announced that the PCPJ was mobilizing for a demonstration at Union Square this Saturday at 1 p.m., to protest the Attica massacre. The rally, he said, will be held in solidarity with a Third World demonstration called for the same day.

He said the VVAW would be mobilizing its membership nationally to participate in Oct. 2 protest demonstrations.

Sister Elizabeth McAllister, a defendant in the Harrisburg 'Conspiracy' Case, called for formation of a Citizens Committee to investigate the events at Attica.

Carmen Caviglia, wife of an Attica prisoner, told the press conference:

"I don't know whether my husband is dead or alive. The wives of the prisoners should have received the same consideration as the wives of the hostages. Instead, we were called 'n—s' by the guards when we approached the prison gates."

Tolson _____
Sullivan _____
Mohr _____
Bishop _____
Brennan, C.D. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Felt _____
Gale _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Beaver _____
Tele. Room _____
Holmes _____
Gandy _____

The Washington Post _____
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times _____
The Daily World φ.3 _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date SEP 16 1971

RECORDED COPY FILED IN

EX-102
44-50605-A
REC-46
NOT RECORDED
167 OCT 19 1971

Place in
100-46495

OCT 19 1971

OCT 21 1971

cc sent to Bureau of Prisons
By 6 to [redacted] 9/21/71

b6
b7c

12:05 PM

September 16, 1971

MEMORANDUM FOR MR. TOLSON
MR. FELT
MR. SULLIVAN
MR. BISHOP
MR. ROSEN

Honorable Egil Krogh, Deputy Assistant to the President for Domestic Affairs at the White House, called. He said they had just received a call from Governor Nelson Rockefeller of New York, in the wake of the Attica Prison incident, and the Governor mentioned that his office had been receiving some bomb threats or something about the placement of bombs; that the Governor was a little vague but did mention bomb threats and asked that the FBI give him and his police unit, which Mr. Krogh assumed was a special detail of the State Police, very fast transmittal of any information developed by the FBI regarding any bomb threats and this would be pursuant to the President's request as the Governor is in a tight situation, and made his stand and should be supported. I commented I thought he did a courageous thing.

Mr. Krogh said they were interested now in providing him quick support and back-up and it would help if we could get a fast response to him from the Bureau if any information is uncovered. I told Mr. Krogh I would see that orders are issued right away as the Special Agent in Charge at Albany can assemble and obtain from the Buffalo and New York City Division any information they may have of any bomb threats in New York State. Mr. Krogh expressed his appreciation.

Mr. Felt has been instructed to handle this right away.

Very truly yours,

John Edgar Hoover
Director

Tolson _____
Felt _____
Sullivan _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

JEH:edm (9)

10-30-81 887 mzm

SEP 22

REC-60

157-23105-26

44-50605-39

SEP 21 1971

SENT FROM D. O.
TIME 1:25 PM
DATE 9-16-71
BY 7:14

UNRECORDED COPY FILED IN

51 SEP 23 1971 ROOM TELETYPE UNIT

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 16 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 004 BU CODE

1:45AM 9-16-71 TMT // PM NITEL 9-15-71 DAT

TO DIRECTOR (ATTN; DID)

NEW YORK

FROM BUFFALO (157-1367) 1P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NY. EM.

Attica State Prison

A RELIABLE SOURCE ADVISED SEPT. FIFTEEN, SEVENTYONE, THAT
RICHARD ROBIN PALMER IS ALIVE AND STILL INCARCERATED ATTICA PRISON.

ADMINISTRATIVE

RETEL NEW YORK TO DIRECTOR SEPT. FOURTEEN, SEVENTYONE.

SOURCE IS

ATTICA PRISON.

END

DCW

FBI WASH DC

REC-24

157-23105-29
44-50605-40
7 SEP 21 1971

b6
b7C
b7D

55 SEP 30 1971

MR. TRAINOR
ROOM 712-A 9&D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 16 1971

TELETYPE

NNR 029 NY CODE

7:30 PM URGENT 9-16-71 BGW

TO DIRECTOR (157-22627)

ATTN: DOMESTIC INTELLIGENCE DIVISION

BUFFALO

FROM NEW YORK (157-6852)

BLACK PANTHER PARTY-CLEAVER FACTION; EXTREMIST MATTERS.

ON SEPTEMBER FIFTEEN LAST, A CONFIDENTIAL SOURCE, WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED BPP-CLEAVER FACTION IS IN POSSESSION OF LIST OF TWENTY TWO PRISONERS WHO WERE KILLED AT ATTICA STATE PRISON, NEW YORK, AND HAS CONTACTS FOR THE FAMILIES OF EIGHT OF THESE PRISONERS. AN INDIVIDUAL NAMED SIAD IS WORKING ON A COMMITTEE FOR COMMUNAL FUNERALS, WHEREBY HE WILL CONTACT SEVERAL FUNERAL HOMES AND ASK THAT THEY GIVE THE SLAIN PRISONERS FREE BURIALS.

NOT RECORDED

SOURCE LEARNED AN AD HOC COMMUNITY COMMITTEE ON ATTICA HAS BEEN FORMED WHICH WILL BE HEADED BY [REDACTED]

SOURCE LEARNED WILLIAM KUNSTLER, NYC ATTORNEY WHO DEFENDED THE CHICAGO SEVEN, AND [REDACTED]
END PAGE ONE

AGENCY: CRD, ISD, IIO, RAO, CD.

HOW FORW: [REDACTED]

DATE FORW: [REDACTED]

BY: [REDACTED]

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Miller
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. DeLoach
Mr. Evans
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

ORIGINAL FILED IN 157-22627

b6
b7C
b7D

"cc to [REDACTED]
Adm. data deleted"

58 SEP 30 1971

100728

PAGE TWO

COMMITTEE, WILL SPEAK ON SEPTEMBER EIGHTEEN NEXT AT A RALLY IN
NYC REGARDING THE EVENTS SURROUNDING THE ATTICA INCIDENT.

SOURCE ADVISED THAT ON SEPTEMBER SIXTEEN INSTANT, A PRESS
CONFERENCE WILL BE HELD IN KUNSTLER'S OFFICE, AT WHICH TIME A
TELEGRAM WILL BE RELEASED WHICH IS BEING SENT TO THE APPELLATE
COURT IN ROCHESTER, NEW YORK, THE CONTENTS OF TELEGRAM UNKNOWN
TO SOURCE. SOURCE LEARNED IT WAS SUGGESTED THAT [REDACTED]

[REDACTED] BE INVITED TO PARTICIPATE IN FORTHCOMING
RALLY, BUT THAT NO DECISION WAS MADE REGARDING THIS SUGGESTION.

SOURCE LEARNED THERE WILL BE A MEETING AT SEVEN PM ON
SEPTEMBER SIXTEEN INSTANT AT MOUNT MORRIS PARK AMPHITHEATER,
NYC, REGARDING ATTICA SITUATION. THE COORDINATORS OF THIS
MEETING WILL REPORTEDLY MAKE THREE DEMANDS: (ONE) TOTAL SUPPORT
FOR THE TWENTY EIGHT DEMANDS GRANTED BY STATE CORRECTION

[REDACTED], PLUS TOTAL AMNESTY FOR ALL INMATES;

(TWO) [REDACTED]

[REDACTED] (THREE)

CREATION
~~WAS~~

OF AN INTERNATIONAL COMMITTEE TO INVESTIGATE PRISONS IN AMERICA.

END PAGE TWO

b7D

b6
b7C
b7D

PAGE THREE

ADMINISTRATIVE:

RENYTEL INSTANT DATE.

SOURCE IS [REDACTED]

b7D

THIS SOURCE LEARNED THAT IT HAS BEEN DECIDED THAT ONLY BLACK PEOPLE SHOULD PARTICIPATE IN THE RALLY SCHEDULED ON SEPTEMBER EIGHTEEN NEXT IN NYC AND THAT WHITE PEOPLE SHOULD STAGE A SEPARATE RALLY IF THEY DESIRE TO EXPRESS THEIR OUTRAGE REGARDING ATTICA INCIDENT. HOWEVER, [REDACTED] WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED IN REFERENCED TELETYPE THAT GROUPS OTHER THAN BLACK GROUPS WOULD PARTICIPATE.

NEW YORK WILL FOLLOW INSTANT ACTIVITIES AND KEEP BUREAU ADVISED.

END

WA...JDR

FBI WASH DC

CC- *Tanner*

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 16 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 006 SF PLAINTEXT

8:33PM NITEL 9/16/71 JAK

TO DIRECTOR (ATTN: D.I.D.)

ALBANY

FROM SAN FRANCISCO (157-7061) 1P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,

ATTICA, NEW YORK, EXTREMIST MATTER.

STATE PRISON

RE AL TEL TO BUREAU, BU AND SF, SEPTEMBER SIXTEEN INSTANT.

BOBBY SEALE WAS PRESENT IN SAN FRANCISCO AS OF ONE PM,

SEPTEMBER SIXTEEN INSTANT.

END...

PLS ACK FOR TWO SF TELS! GA

TMT FBI WA FOR TWO TELS TU

REC-60

44-50605-41
157-23105-34

EX-103

7 SEP 21 1971

61 SEP 27 1971

cc-Mr. Trainor

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 17 1971

TELETYPE

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Sears _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR 011 BU CODE

1159PM URGENT 9-16-71 PXM

TO DIRECTOR (ATTENTION: DOMESTIC INTELLIGENCE DIVISION)

ALBANY

FROM BUFFALO (157-1367) 2P

RIOT BY INMATES, NYS CORRECTIONAL FACILITY,

ATTICA, NY, EM

STATE PRISON

LOCAL BUFFALO ATTORNEYS TODAY RENEWED MOTION FOR COURT ORDER TO PERMIT THEIR ENTRY INTO ATTICA PRISON BEFORE USDC JUDGE JOHN T. CURTIN, WDNY, BUFFALO, ACCORDING TO ARTICLE IN BUFFALO EVENING NEWS, LOCAL BUFFALO NEWSPAPER.

B. APPROX

STATE UNIVERSITY OF NY AT BUFFALO

NYS NATIONAL GUARD

ENTERED FACILITY WITH NG UNIT ABOUT TEN THIRTY AM, SEPT.

THIRTEEN LAST. SUBSEQUENTLY OBSERVED A NUMBER OF INMATES

CLUBBED AND BEATEN BY GUARDS AND NYSP WHILE AUTHORITIES WERE

REGAINING CONTROL OF FACILITY.

END OF PAGE ONE

EX-102

REC-4

SEP 24 1971

AGENCY: CRD, ISD, IJU, RAO, CD.

ACST-OSI-SS

HOW FORM: RLS

DATE FORM: SEP 21 1971

BY: J. J. [Signature]

"cc to IDIU
Adm. data deleted"

NOV 9

1971man

b6
b7c

PAGE TWO

IN REPLY TO MOTION, A NYS ASSISTANT ATTORNEY GENERAL
TOLD THE COURT ATTORNEYS OF INMATES WOULD BE ADMITTED TO FACILITY
BETWEEN NINE THIRTY AM AND THREE PM BEGINNING SEPT. SEVENTEEN,
NEXT.

JUDGE CURTIN RESERVED DECISION AND ORDERED STATE
AUTHORITIES TO INSURE THAT BEATINGS
DID NOT RECURR.

b6
b7c

ADMINISTRATIVE

REMYTEL SEPT SIXTEEN INSTANT.

INDICES BUFFALO OFFICE NEGATIVE RE

END

RECD 007 011

DCW FBI WASH DC

MR. TRAINOR
ROOM 712-A 9&D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 16 1971

TELETYPE

Mr. Tolson	
Mr. Felt	
Mr. Sullivan	
Mr. Mohr	
Mr. Bishop	
Mr. Miller, ES	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. DeLoach	
Mr. Cleveland	
Mr. Ponder	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

NR007 AL PLAIN

9:50 PM URGENT 9-16-71 LVV

TO DIRECTOR

NEW YORK

BUFFALO

FROM ALBANY (157-1017) 3P

Attica STATE PRISON

Attica, NEW YORK.

ATTICA PRISON INCIDENT - BOMB THREATS TO GOVERNOR ROCKEFELLER.

RE BUTELCALL SEPTEMBER SIXTEEN, INSTANT.

PURSUANT TO BUREAU INSTRUCTIONS GOVERNOR NELSON
ROCKEFELLER AND ROBERT R. DOUGLAS, COUNSEL TO THE GOVERNOR
WERE PERSONALLY CONTACTED AT THE STATE CAPITOL, ALBANY, BY
SAC ODD T. JACOBSON AND ASAC MARLIN H. MOORE. NEITHER
THE GOVERNOR OR MR. DOUGLAS HAD ANY SPECIFIC INFORMATION
REGARDING BOMB THREATS OR THREATS BY MAIL, BUT EXPRESSED
SINCERE CONCERN FOR THEIR OWN PERSONAL SAFETY AS WELL AS
THAT OF OTHER STATE GOVERNMENTAL OFFICIALS INVOLVED IN
THE ATTICA PRISON INCIDENT BECAUSE OF THE VOLUME OF HATE
MAIL BEING RECEIVED AT GOVERNORS OFFICE. BOTH WERE ASSURED

END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10-30-81 BY SP7/ALM

57 SEP 28 1971

92,624

11 SEP 22 1971

5 gne

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44-50605-43
157-23105-44
REC-32

PAGE TWO

OF THE FBI'S COMPLETE COOPERATION IN FURNISHING ANY INFORMATION RECEIVED WHICH WOULD INDICATE BODILY HARM TO ANY STATE OFFICIAL OR ANY FORM OF REPRISALS. MR. DOUGLAS REQUESTED THAT ANY EXTREMIST INFORMANTS BE RE-ALERTED FOR INFORMATION BEARING ON THE ATTICA SITUATION AND HE WAS ASSURED THIS HAS ALREADY BEEN DONE.

THEY WERE CONFIDENTIALLY INFORMED THAT [REDACTED]

[REDACTED]

[REDACTED] THIS INFORMATION FURNISHED TO BUREAU IN DETAIL BY SEPARATE TELETYPE. ALSO INFORMED OF CONFIDENTIAL SOURCE INFORMATION THAT [REDACTED]

[REDACTED]

END PAGE TWO

b6
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b7D

PAGE THREE

THE GOVERNOR REQUESTED ALL INFORMATION REGARDING
EXTREMIST ACTIVITIES ARISING OUT OF THE ATTICA INCIDENT
BE DISSEMINATED TO BUREAU OF CRIMINAL INVESTIGATION, NEW
YORK STATE POLICE ALBANY, NY. HE ASSURED ANY INFORMATION
DEVELOPED BY THE STATE WOULD BE REFERRED TO THE ALBANY OFFICE
FOR APPROPRIATE COORDINATION.

THE GOVERNOR ADVISED JUDGE ROBERT FISHER, DEPUTY
ATTORNEY GENERAL IS AT ATTICA CONDUCTING AN INVESTIGATION
LOOKING TOWARD POSSIBLE PROSECUTION OF RIOT INSTIGATORS
THERE AND REQUESTED ANY INFORMATION DEVELOPED IN THAT VEIN
BE FURNISHED TO JUDGE FISHER DIRECTLY. HE WAS ASSURED
THIS WOULD BE DONE.

END

EBM FBI WA CLR

cc: Mr. Rosen

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 16 1971

TELETYPE

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. DeLoach
Mr. Cleveland
Mr. Ponder
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

NR 004 BU CODE

8:11 PM URGENT 9-16-71 PXM

TO DIRECTOR (ATTN: DOMESTIC INTELLIGENCE DIVISION)

ALBANY

FROM BUFFALO (157-1367) 4 P

Attica State Prison
RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,
NY, EXTREMIST MATTER.

PUBLIC INFORMATION OFFICER [REDACTED] ATTICA STATE

PRISON, ADVISED THAT FOLLOWING A TELEPHONE CALL FROM U.S.

SENATOR JAMES BUCKLEY (CONSERVATIVE, N.Y.), BUCKLEY'S [REDACTED]

EX-104 REC 70 157-23105-44
[REDACTED] APPEARED AT ATTICA PRISON THIS MORNING TO OBTAIN

THE FACTS CONCERNING THE RIOT.

44-50605-44
16 SEP 24 1971

BUD WACKER, CITY EDITOR, "BUFFALO EVENING NEWS", LOCAL

DAILY NEWS PAPER PUBLISHED AT BUFFALO, N.Y., ADVISED TODAY THAT THE

"BUFFALO EVENING NEWS" HAD RECEIVED AN ANONYMOUS TELEPHONE CALL

FROM WHAT SOUNDED LIKE A BLACK MALE. WACKER STATED "BLACK PEOPLE'S

REVOLUTIONARY WAR FRONT AGAINST OSWALD AND KEFELLER" WAS

RESPONSIBLE FOR ATTEMPTS TO START FIRES IN BUFFALO CITY COURT

BUILDING TODAY, THAT THIS WAS THE FIRST IN A SERIES OF

EVENTS, AND THAT THEY PLAN TO BURN BUFFALO IN THE NEXT WEEK. WACKER

CONFIRMED THERE HAD BEEN TWO FIRES IN BUFFALO CITY COURT

END OF PAGE ONE

ENCLOSURE
67 SEP 30 1971

cc to [REDACTED] SEP 24
Adm. Data deleted

Included in summary to White House
and Attorney General. Date 9/17/71

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PAGE TWO

BUILDING TODAY WHICH WERE EXTINGUISHED BY CITY COURT PERSONNEL AND BUFFALO FIRE DEPT.

A BUFFALO, NY, POLICE OFFICER ADVISED THAT AT APPROXIMATELY ONE PM TODAY RADIO ~~STATION WBLK~~, BUFFALO, RECEIVED A SIMILAR TELEPHONE CALL ATTRIBUTING THE ATTEMPTED ARSON TO THE "BLACK YOUTHS REVOLUTIONARY WAR FRONT".

A RELIABLE SOURCE ADVISED TODAY THAT BUFFALO CIVIL RIGHTS ORGANIZATION ~~BUILD~~ BUILD UNITY, INDEPENDENCE, LIBERTY AND DIGNITY WILL SPONSOR A "BLACK FRIDAY" AT ELEVEN AM, SEPT. SEVENTEEN NEXT, AT BUFFALO WAR MEMORIAL STADIUM TO HONOR THE "BROTHERS MURDERED" AT "ATTICA STATE CONCENTRATION CAMP."

AS OF ELEVEN AM TODAY, THREE DECEASED INMATES REMAIN UNIDENTIFIED ACCORDING TO ALLAN MILLS, DIRECTOR OF CORRECTIONAL INDUSTRY, ATTICA STATE PRISON.

A COPYRIGHTED ARTICLE APPEARING IN THE "DEMOCRAT AND CHRONICLE," A ROCHESTER, NY, DAILY NEWSPAPER, ON PAGE ONE OF TODAY'S SUNRISE EDITION, CONTAINS THE RESULTS OF AN INTERVIEW WITH DAVID ANDERSON, DIRECTOR OF THE SCHOOL - PARENT ADVISORS TO THE NEIGHBORHOOD (SPAN) AND FURTHER DESCRIBED AS A ROCHESTER, NY BLACK LEADER. IN THIS ARTICLE, ANDERSON IS QUOTED AS SAYING THAT

END OF PAGE TWO

PAGE THREE

WILLIAM KUNSTLER, THE CIVIL RIGHTS LAWYER, TURNED NEGOTIATIONS WITH ATTICA PRISONERS FROM NEAR AGREEMENT TO AN IMPOSSIBLE DEMAND FOR AMNESTY. THE ARTICLE STATES THAT DAVID ANDERSON SPENT SEVENTEEN HOURS INSIDE ATTICA PRISON LAST FRIDAY AS A PRISONER-INVITED MEMBER OF THE NEGOTIATION TEAM. ANDERSON WAS FURTHER QUOTED IN THE ARTICLE AS STATING, "KUNSTLER CAME IN THERE AND BEGAN TO TAKE OFF ON SOME THINGS THAT WERE VERY TOUCHY IN OUR MINDS WITH THE PRISONERS". KUNSTLER HEIGHTENED THEIR EXPECTATIONS ABOUT GETTING: AMNESTY. IT PICKED UP AND PUT THE INMATE LEADERSHIP WE HAD BEEN DEALING WITH BEFORE HE CAME IN A PRECARIOUS POSITION, AND THE LEADERSHIP⁸ BEGAN TO SPREAD OUT." THE ARTICLE FURTHER STATES THAT ANDERSON SAID THE COMMITTEE OF TWENTY NINE CHASTIZED KUNSTLER FOR STRESSING THE AMNESTY AND INFLAMING THE TONES OF NEGOTIATIONS. THE ARTICLE FURTHER STATED THAT KUNSTLER SAID EARLY TODAY (SEPT. SIXTEEN INSTANT) FROM HIS WESTCHESTER CO., NY, HOME THAT ANDERSON'S STATEMENTS WERE UNTRUE, THAT THE PRISONER'S DEMANDS WERE THEIR OWN, AND NOBODY TOLD THEM WHAT TO DO OR WHAT NOT TO DO. KUNSTLER FURTHER SAID THAT ANDERSON COULD NOT KNOW THE TRUTH BECAUSE HE WAS NOT THERE SATURDAY, SUNDAY, OR MONDAY (SEPT. ELEVEN, TWELVE, THIRTEEN LAST).

END OF PAGE THREE

PAGE FOUR

ADMINISTRATIVE

REMYTELS SEPT. FIFTEEN LAST.

RELIABLE SOURCE IS [REDACTED]

b6
b7C
b7D

[REDACTED] POLICE OFFICE MENTIONED IN DETAILS IS [REDACTED]

[REDACTED] INFORMATION RE FIRES AT BUFFALO CITY COURT BUILDING

DISSEMINATED TO SECRET SERVICE, NYSP, ~~Police Department~~ BUFFALO PD AND ONE HUNDRED EIGHTH

MIG. Military Group New York State Police
P. /MMM

END

CE MR. TRAINOR
ROOM 712-A 9&D

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9-16-71

Attached concerns the riot at New York State Correctional Facility, Attica, New York. Two fires were set in the Buffalo City Court Building on 9-16-71 and were extinguished by court personnel and the Buffalo Fire Department. An organization called Black People's Revolutionary War Front Against Oswald and Rockefeller has claimed responsibility for these fires. A Negro member of the Civil Negotiating Team which had been meeting with the prisoners during the riot has accused attorney William Kunstler who was also a member of the same team of turning these negotiations from a near agreement to an impossible demand for amnesty by the prisoners. He stated "Kunstler came in there and began to take off on some things that were very touchy in their minds with the prisoners." Kunstler has denied these charges. - *Disinformation* - H

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

ABK:lrs

W/
PKP
7
W/
205
ROCPM
gma

SEP 24 1971

ENCLOSURE

44-50605-44

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 16 1971

TELETYPE

REC 34

NR003 AL CODE

3:08 PM URGENT 9-16-71 MJC

TO DIRECTOR

(ATTN: DOMESTIC INTELLIGENCE DIVISION)

BUFFALO (157-1367)

SAN FRANCISCO (157-1969)

FROM ALBANY (157-1017) 3P

Attica State Prison

RIOT BY INMATES NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK EXTREMIST MATTER.

CONFIDENTIAL SOURCE, RELIABLE, CORNELL UNIVERSITY, ITHACA,
NEW YORK, ADVISED THAT BLACK STUDENTS AT CORNELL UNIVERSITY
WILL MARCH ACROSS CAMPUS FROM THE SOUTH GATE TO THE AFRICANA
STUDIES CENTER AT NORTH CAMPUS BEGINNING TWELVE NOON TODAY.
THE MARCH IS ADVERTISED AS A "SILENT MEMORIAL PROCESSION IN
HONOR OF OUR COURAGEOUS BROTHERS WHO WERE MASSACRED AT ATTICA
STATE PRISON". FOLLOWING THE PARADE A MEMORIAL SERVICE WILL
BE CONDUCTED AT THE AFRICANA STUDIES CENTER. SOURCE HAS NO
INFORMATION THAT INDIVIDUALS OUTSIDE THE UNIVERSITY WILL
END PAGE ONE

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

UNRECORDED COPY FILED IN

157-15073

SEP 27 1971

EX-103

SEP 28 1971
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b7D

AL 157-1017

PAGE TWO

PARTICIPATE IN THIS ACTIVITY .

STATE AND LOCAL POLICE ARE COGNIZANT .

[REDACTED]
[REDACTED]
[REDACTED] COMMITTEE ON SPECIAL EDUCATION

PROJECTS (COSEPS) AT CORNELL UNIVERSITY.

THE APRIL TWENTYEIGHT, NINETEEN SIXTYNINE, ISSUE OF THE
"ROCKFORD MORNING STAR", A ROCKFORD, ILLINOIS, DAILY NEWSPAPER,
CONTAINED AN ARTICLE BY REPORTER JERRY IDASZAK CONCERNING THE
BLACK PANTHER PARTY (BPP) IN ROCKFORD, ILLINOIS. IN THE ARTICLE
[REDACTED]

THE BLACK PANTHER PARTY IS A BLACK EXTREMIST ORGANIZATION
STARTED IN OAKLAND, CALIFORNIA, IN DECEMBER NINETEEN SIXTYSIX.
IT ADVOCATES THE USE OF GUNS AND GUERRILLA TACTICS TO BRING
ABOUT THE OVERTHROW OF THE UNITED STATES GOVERNMENT.

END PAGE TWO

b6
b7C
b7D

AL 157-1017

PAGE THREE

ADMINISTRATIVE

STAG

RE SAN FRANCISCO TEL SEPTEMBER FIFTEEN LAST.

CONFIDENTIAL SOURCE IS

[REDACTED]

b7D

SAN FRANCISCO ADVISE ALBANY IMMEDIATELY ANY INFORMATION
BOBBY SEALE TRAVELED TO CORNELL UNIVERSITY.

ALBANY WILL FOLLOW DEMONSTRATION THROUGH ESTABLISHED
SOURCES AND ADVISE.

END

LRS FBI WASHDC

cc MR. HORNER
ROOM 724 9&D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 17 1971

TELETYPE

NR006 AL PLAIN

12:27 AM 9-17-71 URGENT 9-16-71 LVV

TO DIRECTOR

BUFFALO

FROM ALBANY (157-1017) 3P

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 02-08-2006 BY 60309 AUC TAM/MLT/CLS

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK, EXTREMIST MATTER, DEMONSTRATION AT ITHACA, NY,
SEPTEMBER SIXTEEN NINETEEN SEVENTYONE.

Attica State Prison
Attica N.Y.

CR

RE ALBANY MEMORANDUM DATED AND CAPTIONED AS ABOVE.

A CONFIDENTIAL SOURCE WHO HAS FURNISHED RELIABLE INFORMATION
IN THE PAST HAS ADVISED THAT A MARCH ACROSS CORNELL UNIVERSITY
CAMPUS, ITHACA, NEW YORK, AT NOON ON SEPTEMBER SIXTEEN, SEVENTYONE
BY UNIVERSITY STUDENTS AND FACULTY WAS PEACEFUL. ABOUT
TWO HUNDRED BLACK AND SEVENTY FIVE WHITE INDIVIDUALS
PARTICIPATED IN THE MARCH, WHICH WAS SOLEMN AND SYMBOLIC
IN THAT AN EMPTY COFFIN WITH HONOR GUARD WAS PART OF THE
PROCESSION. UPON ARRIVAL AT THE CORNELL UNIVERSITY
AFRICANA STUDIES CENTER, A THREAT TO DYNAMITE THE BUILDING
WAS RECEIVED AT THE UNIVERSITY SWITCHBOARD. WITH COOPERATION
OF BLACK STUDENTS, THE UNIVERSITY SAFETY DIVISION AND
CAYUGA POLICE DEPARTMENT, A SEARCH OF THE BUILDING FAILED
END PAGE ONE

EX-104

REC-20

44-50605-46

NO SEP 21 1971

"cc to IDIU"
Adm. data deleted"

57 SEP 22 1971
57 SEP 24 1971

RECORDED COPY FILED IN 62-112228-1

PAGE TWO

TO LOCATE ANY EXPLOSIVES. FOLLOWING THE MARCH MEMORIAL SERVICES BY BLACKS ONLY WAS CONDUCTED AT THE AFRICANA STUDIES CENTER WHICH TERMINATED ABOUT TWO THIRTY P.M. WITHOUT INCIDENT. THE SOURCE ADVISED A CIRCULAR WAS DISTRIBUTED ON THE CORNELL CAMPUS THE AFTERNOON OF SEPTEMBER SIXTEEN, NINETEEN SEVENTYONE BY UNKNOWN INDIVIDUALS CALLING FOR A DEMONSTRATION IN FRONT OF THE TOMPKINS COUNTY JAIL, ITHACA, NEW YORK, AT FOUR THIRTY P.M., SEPTEMBER SEVENTEEN NEXT. THIS DEMONSTRATION , ACCORDING TO THE CIRCULAR, WILL BE "IN SOLIDARITY WITH THE RESISTANCE OF THE ATTICA PRISONERS AND OUTRAGED BY THE MASSACRE OF PRISONERS AND GUARDS AT THE HANDS OF NELSON ROCEFELLER AND HIS MILITARY FORCES".

ADMINISTRATIVE DATA:

STAG.

RE ALBANY TELETYPE TO BUREAU, BUFFALO AND SAN FRANCISCO,
SEPTEMBER SIXTEEN INSTANT.

END PAGE TWO

AL157-1017

PAGE THREE

SOURCE

[REDACTED]

WAS UTILIZED.

b7D

ALBANY WILL FOLLOW DEMONSTRATIONS AND ADVISE. (P).

END

HOLD PLS

DCW FBI WASH DC

MR. TRAINOR
ROOM 712-A 9&D

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-19-2006

FBI

CLASSIFIED BY 60309/AUC/TAM/DCG/bls
DECLASSIFY ON: 25X 3.3(1) 04-19-2031

Date: 9/17/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (100-174297)

SUBJECT: DEMONSTRATION AT OFFICE OF GOVERNOR
ROCKEFELLER, NYC, BY VIETNAM PEACE
PARADE COMMITTEE AND OTHER ORGANIZATIONS
ON 9/13/71 IN CONNECTION WITH ATTICA, ~~PA~~
NY, CORRECTIONAL FACILITY RIOTS
~~IS-NEW LEFT~~

ReNYtels to Bu dated 9/13 & 14/71.

Enclosed for the Bureau are six copies of an LHM
concerning captioned matter.

One copy of LHM being furnished US Attorney, SDNY
because of their possible interest in this matter.

(2-Bureau (Encs. 6) (RM) 2 Xerox of enc.)

1-New York [redacted] 44-50605-
1-New York [redacted] 157-2212-
1-New York (100-148916) (YAWF) (41)
1-New York 100- (MADAM BINH BRIGADE)
1-New York 100-156835 (FAVPPC) (42)
1-New York 100-164665 (WLM) (42)
1-New York 174-1413)
1-New York 100-170212
1-New York 100-150888
1-New York 100-156460
1-New York 100-167357
1-New York 100-150065
1-New York 100-166592
1-New York (174-1492)
1-New York [redacted]

NOT RECORDED
78 SEP 28 1971

SEP 20 1971

JRN:ihr
(18)

ENCLOSURE

AGENCY ACTION REQUIRED
DATE FORW. 9/22/71
NOT FORW. 9/22/71
BY [redacted]

NEW YORK

ORIGINAL FILED IN 105-215072-3

b6
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b7D

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

55 OCT 6 1971

~~SECRET~~

~~SECRET~~

NY 100-174297

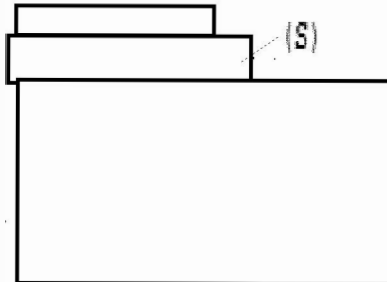
The SAS who observed the demonstration at 22 West 55th St., NYC, 9/13/71 were:



b6
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Sources utilized were:

NY T-1
NY T-2
NY T-3
NY T-5
NY T-6
NY T-7
NY T-8
NY T-9




(S)

b1


b7D



b7D

 is subject of following files in the NYO:

b6
b7C



In addition to above case files, a new case has been opened, and presently under investigation, regarding his arrest mentioned in attached LHM 

Any further investigation regarding this matter concerning  and disposition of arrest will be reported under 

This LHM is being classified, "~~Confidential~~" to protect NY T-1 through NY T-3 and NY T-5 & T-6, live informants of continuing value. The unauthorized disclosure of information furnished by the above sources could reveal their identity and could be prejudicial to the security interests of the US.

- 2 -

~~SECRET~~

~~SECRET~~

NY 100-174297

NON-SYMBOL INFORMANT ADMINISTRATIVE PAGE

NY T-4

NYCPD (by request)

b6
b7C
b7D

CAUTION: NOT TO BE DISSEMINATED TO RESIDENT AGENTS, DETACH.

- 3

~~SECRET~~



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

September 17, 1971

In Reply, Please Refer to

File No. NYfile (100-174297)

Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

All sources used in this memorandum have
furnished reliable information in the past.

On September 13, 1971, NY T-1 furnished information
that the Vietnam Peace Parade Committee (VPPC) advised on the
same date that a demonstration was to take place at the
office of Governor Rockefeller in New York City (NYC) on
September 13, 1971 at 5:00 p.m., regarding the situation at
Attica, New York (NY).

VPPC

The VPPC, also called Fifth Avenue Vietnam
Peace Parade Committee (FAVPPC), is a NYC
based organization which has organized and
participated in anti-Vietnam war
demonstrations in NYC and elsewhere.

~~C O N F I D E N T I A L~~

~~GROUP I~~

~~Excluded from automatic
downgrading and
declassification~~

This document contains neither recommendations nor conclusions
of the Federal Bureau of Investigation (FBI). It is the
property of the FBI and is loaned to your agency; it and its
contents are not to be distributed outside your agency.

44-50605-

157-23705-

ENCLOSURE

~~CONFIDENTIAL~~

Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

NY T-2 on September 13, 1971 advised that a
Women's Liberation Movement group known as the Madam
Binh Brigade was to participate in a demonstration at 22
West 55th Street, NYC (Governor Rockefeller's NYC office)
at 5:00 p.m., September 13, 1971.

NY T-3 on September 13, 1971 furnished information
that on September 13, 1971, a group known as the Madam Binh
Brigade is scheduled to demonstrate at the NYC office of
Governor Rockefeller. This source stated that Madam Binh
Brigade is a group of women who organized around the George
Jackson slaying in California and the Attica Prison riots.
From this, their action will probably revolve around a general
prison reform theme.

NY T-4 on September 13, 1971 advised that Youth
Against War and Fascism (YAWF) will participate in a
demonstration at Governor Rockefeller's office in NYC on
September 13, 1971.

YAWF

YAWF is the youth group of the Workers World
Party (WWP).

WWP

The WWP was founded in 1959 by individuals who
disagreed with policies of the Socialist Workers
Party (SWP). The WWP dissidents advocated
unconditional support of the Soviet Union and
the building of a revolutionary party geared to
the overthrow of capitalism. More recently the
WWP has called for peaceful solutions to Sino-
Soviet disputes.

The SWP has been designated pursuant to
Executive Order 10450.

~~CONFIDENTIAL~~

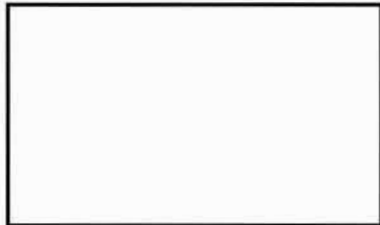
~~CONFIDENTIAL~~

Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

Special Agents (SAs) of the Federal Bureau of Investigation (FBI) observed a demonstration on West 55th Street (NYC) in front of Governor Rockefeller's Office on September 13, 1971. At 5:00 p.m., approximately 50 individuals picketed in a barricaded area in front of 22 West 55th Street, NYC. Between 5:00 and 6:00 p.m., a maximum of 500 people marched and chanted at the above location. This crowd was made up of mainly white and Puerto Rican young people. There were very few blacks among the demonstrators. The only organization identified by banners and leaflets was the YAWF, whose banner, bearing the name, "Prisoners Solidarity Committee," stated "Tear Down The Jails."

Although the crowd was very vocal, there were no incidents until about 6:00 p.m. when the police barricades were overturned and the group of demonstrators proceeded west on 55th Street to 6th Avenue and then south on 6th Avenue, where they marched down the middle of the street, delaying traffic and continuing their chants. The crowd proceeded south on 6th Avenue to 42nd Street, then east on 42nd Street to Grand Central Station. They entered the Grand Central main lobby where they milled around until 6:45 p.m., at which time the crowd dispersed.

Among those present at the demonstration, September 13, 1971, at 22 West 55th Street were the following:



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Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

[redacted]

On June 24, 1971, indictment was returned by
the Federal Grand Jury, Southern District of
New York (SDNY), charging [redacted] with
violation of Title 26, United States Code
(USC), Section 5822(e), 5861(f) and 5871;
Title 18, USC, Section 844(i). [redacted] was released
on previous \$10,000 personal recognizance bond and
\$1,000 cash security.

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[redacted]

NY T-5 on December 22, 1970 advised [redacted]
[redacted] Youth International Party
(YIP) Collective in Boston, Massachusetts.

YIP

The YIP, also known as Yippies, is a loosely-
knit, anti-establishment, revolutionary youth
organization formed in NYC in January, 1968.

[redacted]

NY T-6 on June 2, 1971 advised [redacted]
[redacted] YAWF, 58 West 25th Street,
NY, NY.

[redacted]

[redacted] Chicago, Illinois Police Department on
[redacted]

[redacted] Students
For a Democratic Society (SDS) Weatherman demonstration
during the Democratic National Convention.
[redacted] was acquitted of the above charges on
August 20, 1970.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

SDS

SDS was founded during June, 1962 at Port Huron, Michigan, and in the 1960's functioned as the leading New Left campus-based student organization in the United States (US). From a stance of "participatory democracy," the SDS moved to a radical-revolutionary position. It maintained a national office at 1608 West Madison Street, Chicago, Illinois, until February, 1970. Internal factionalism during 1969 produced three main factions: Weatherman, Revolutionary Youth Movement (RYM), and Worker Student Alliance (WSA). The Weatherman and RYM no longer consider themselves associated with the SDS. The WSA faction continues to use the name SDS.

[REDACTED]

[REDACTED] Living Theatre, 530
6th Avenue, NYC. [REDACTED]

[REDACTED]

[REDACTED]

NY T-7 on June 15, 1968 advised [REDACTED]
was a member of the NY Region of the SDS as of
June, 1968.

A leaflet distributed at the demonstration at Governor Rockefeller's office, 22 West 55th Street, NYC, on September 13, 1971 captioned, "Protest Rockefeller's Massacre of Attica Prisoners!" This leaflet which listed the sponsor: Prisoners Solidarity Committee, 58 West 25th Street, NYC, 10010, phone 989-3932, stated in part as follows:

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~~CONFIDENTIAL~~

Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

"Join us in demonstrating our support for the
Attica prisoners and their just demands. Tell Rockefeller
and the ruling class he represents that they can't get
away with this massacre. They are guilty of murder. The
blood of Attica is on their hands!

"Demonstrate!--Today--Monday
September 13, 1971--5 p.m.
Rockefeller's Office--22 W. 55 St.
(Between 5th & 6th Ave.)"

On September 13, 1971, Detective [redacted] Security
and Investigation Section (SIS), New York City Police
Department (NYCPD), advised SA [redacted] records of
his Section reflect one arrest during the above described
demonstration. At approximately 6:00 o'clock, an
individual was near 6th Avenue and 55th Street, NYC. [redacted]

Detective [redacted]

[redacted] Rikers Island
Jail, Rikers Island, NY Badge [redacted] on September 13, 1971
advised SA [redacted] that about 5:30 p.m. on
same date, as he was proceeding west on 55th Street, NYC,
in a cab [redacted]

[redacted]
located at 44 West 55th Street.

According to [redacted]

[redacted] The unknown
individual [redacted] proceeded east
on 55th Street. [redacted]

[redacted] advised

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

[redacted]
[redacted]
as it was attempting to head for the 18th Precinct, [redacted]
[redacted]
[redacted] stated [redacted] was finally taken to the 18th Precinct,
[redacted] Patrolman
[redacted]

On September 13, 1971, Lieutenant [redacted]
[redacted] NYCPD, advised SA [redacted]
[redacted]

Sergeant [redacted] 18th Precinct, NYCPD, on
September 13, 1971 advised SA [redacted]
[redacted] date
of birth [redacted] residence [redacted]
[redacted] NY. [redacted] further advised that [redacted]
[redacted] St. Clair Hospital [redacted]
[redacted]

[redacted]
[redacted] advised on August 31, 1970 that in
August, 1970, [redacted]
[redacted] Liberated Guardian Office, 14 Cooper
Square, NY, NY.

"Liberated Guardian"

The "Liberated Guardian" was created in April,
1970 through active and violent dissent
against the politics and policies of the

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Demonstration at Office of
Governor Rockefeller, New York
City, by Vietnam Peace Parade
Committee and Other Organizations
on September 13, 1971, in
Connection with Attica, New York,
Correctional Facility Riots

"Guardian." Its major aims were to produce a
"more revolutionary" paper, to operate
collectively within it and to maintain by
design a loose political position.

The "Guardian"

The "Guardian" is self-described as an
"independent radical news weekly" which takes
a strong left position but is not identified
with any organized group. It is considered
to be the largest radical weekly in America.

NY T-8 advised on September 23, 1969 that
[redacted] Peace
Corps [redacted] Turkey,
attended the Committee of Returned Volunteers
(CRV) General Assembly at Minneapolis, Minnesota
from September 12 through 16, 1969.

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CRV

The CRV is an independent national organization
of persons who have worked as volunteers in
Asia, Africa and Latin America. The CRV seeks
radical change in US policy towards Asia, Africa
and Latin America. As of March, 1971, a small
inactive group of individuals interested in the
CRV existed in the Los Angeles, California area.

NY T-9 advised on May 8, 1969 that [redacted] attended
a meeting of the EAVPPC on April 30, 1969 at
which time [redacted]
[redacted]

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~~CONFIDENTIAL~~

"TREAT"

"TREAT"

007

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

9/17/71

Transmit the following in

SEP 17 1971 INTX

(Type in plaintext or code)

Via

TELETYPE

(Priority)

TO: DIRECTOR

NEW YORK

BUFFALO

FROM: ALBANY (157-1017)

ATTICA PRISON INCIDENT - BOMB THREATS TO GOVERNOR ROCKEFELLER.

RE ALBANY TELETYPE SEPTEMBER SIXTEEN, LAST.

IN ACCORDANCE WITH REQUEST OF GOVERNOR ROCKEFELLER,

CONTACT WAS MADE WITH WILLIAM E. KIRWAN, SUPERINTENDENT,

NEW YORK STATE POLICE, ALBANY, TO ESTABLISH LIAISON FOR

DISSEMINATION OF INFORMATION CONCERNING INCIDENTS ARISING

FROM ATTICA PRISON RIOT. SUPERINTENDENT KIRWAN DESIGNATED

SPECIAL SERVICES SECTION,

OFFICE. SUPERINTENDENT KIRWAN ADVISED THAT ALL INFORMATION

1-Albany

MMH:bar

(1)

EX-100

20 SEP 22 1971

ALL INFO

HEREIN IS

DATE 11-2-81

S DE

Approved

62 SEP 30 1971

Special Agent in Charge

Sent

M

Per

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Miller, E.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

62-72612-1

b6
b7C

FBI

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)

PAGE TWO

COMING TO THEIR ATTENTION WHICH MIGHT BE OF INTEREST TO THIS BUREAU WOULD BE IMMEDIATELY FURNISHED BY [REDACTED] OFFICE AND HE REQUESTED THAT ANY INFORMATION WHICH MIGHT BE OF INTEREST TO GOVERNOR ROCKEFELLER BE FURNISHED THROUGH THAT OFFICE.

KIRWAN [REDACTED] WERE BROUGHT UP TO DATE ON ALL MATTERS PERTAINING TO PROPOSED DEMONSTRATIONS THROUGHOUT THE STATE AND WILL BE KEPT CURRENT ON INFORMATION AS IT DEVELOPS IN FUTURE.

BUFFALO AND NEW YORK OFFICES ARE REQUESTED TO CHANNEL ANY INFORMATION WHICH MIGHT BE OF INTEREST TO THE GOVERNOR'S OFFICE IN THIS MATTER TO ALBANY FOR DISSEMINATION THROUGH ESTABLISHED LIAISON.

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 013 AL PLAIN

510AM 9-18-71 NITEL 9-17-71 LVV

TO DIRECTOR

BUFFALO

FROM ALBANY (157-1017) 2P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK, DEMONSTRATION AT TOMKINS COUNTY JAIL,
ITHACA, NEW YORK, SEPTEMBER SEVENTEEN, NINETEEN SEVENTYONE.
EXTREMIST MATTER.

STATE PRISON

REFERENCE IS MADE TO A PREVIOUS MEMORANDUM IN THIS
MATTER DATED SEPTEMBER SIXTEEN, NINETEEN SEVENTYONE, AT
ALBANY, NEW YORK.

ABOUT FOUR FORTY PM, SEPTEMBER SEVENTEEN, NINETEEN
SEVENTYONE, ABOUT ONE HUNDRED CORNELL UNIVERSITY AND ITHACA
COLLEGE STUDENTS GATHERED AT DE WITT PARK IN DOWNTOWN ITHACA,
NEW YORK, AND MARCHED TO THE TOMPKINS COUNTY JAIL, ITHACA.
AT THE JAIL SPEECHES WERE MADE ON BEHALF OF THE DEAD PRISONERS
AT ATTICA CORRECTIONAL FACILITY AND AGAINST VIOLENCE AND
OPPRESSION OF THE PEOPLE. THE DEMONSTRATION WAS ORDERLY AND
THERE WERE NO INCIDENTS. DEMONSTRATION LASTED ABOUT

END PAGE ONE

54 SEP 28 1971

cc to IDIU

Adm. data deleted

EX-103

SEP 21 1971

AL 157-1017

PAGE TWO

THIRTY MINUTES.

ADMINISTRATIVE:

STAG.

RE ALBANY TELETYPE TO BUREAU SEPTEMBER SIXTEEN, SEVENTYONE.

STATE POLICE, WITH WHOM LIAISON MAINTAINED FOR
DISSEMINATION TO THE GOVERNORS OFFICE, HAVE BEEN ADVISED.

END

DCW

FBI WASH DC

MR. HORNER
ROOM 724 9&D

REAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 17 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Cleveland	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NY 046 CODED

845 PM URGENT 9-17-71 RAG

TO DIRECTOR ATTENTION D I D

ALBANY 157-1017

BOSTON 100-37760

FROM NEW YORK 100-174297

DEMONSTRATIONS RELATED TO ATTICA CORRECTIONAL FACILITY RIOT AT NYC, SEPTEMBER EIGHTEEN-TWENTY, NINETEEN SEVENTY ONE, IS-NEW LEFT. (u)

ON SEPTEMBER SEVENTEEN INSTANT A CONFIDENTIAL SOURCE, WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED FOLLOWING DEMONSTRATIONS ARE BEING HELD, SEPTEMBER EIGHTEEN TO TWENTY NEXT, AT NYC TO PROTEST "MASSACRE" AT ATTICA (NY): (u)

SATURDAY, SEPTEMBER EIGHTEEN, NEXT: RALLY AND MARCH FROM UNION SQUARE, NYC, TO ROCKEFELLER CENTER, FIFTH AVE AND FIFTIETH ST, AT ONE PM, SPONSORED BY FIFTH AVE VIETNAM PEACE PARADE COMMITTEE (FAVPPC), WOMENS GROUPS AND YOUTH AGAINST WAR AND FASCISM (YAWF). FAVPPC IS NYC BASED ORGANIZATION WHICH HAS ORGANIZED AND PARTICIPATED IN ANTI-VIETNAM WAR DEMONSTRATIONS NYC, AND ELSEWHERE. YAWF IS YOUTH GROUP OF WORKERS WORLD PARTY (WWP). WWP, FOUNDED NINETEEN FIFTY NINE BY INDIVIDUALS WHO DISAGREED WITH SOCIALIST WORKERS PARTY (SWP), SWP HAS BEEN DESIGNATED PURSUANT TO EXECUTIVE ORDER ONE ZERO FOUR FIVE ZERO. (u)

END PAGE ONE

10 SEP 21 1971

57 SEP 24 1971

cc to IDIU
Adm. data deleted

NOV 27 1971

EX-103

100-445548-101
100-438904-101

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PAGE TWO

SUNDAY, SEPTEMBER NINETEEN NEXT: TRIBUNAL TO TRY GOV ROCKEFELLER TO BE HELD TWO PM, WASHINGTON SQUARE PARK. (u)

MONDAY, SEPTEMBER TWENTY NEXT: DEMONSTRATIONS AT GOV ROCKEFELLER'S NYC OFFICE, TWO TWO WEST FIVE FIVE ST. NO SPONSORS FOR THIS DEMONSTRATION ARE KNOWN. (u)

ON SEPTEMBER SEVENTEEN, INSTANT A SECOND CONFIDENTIAL SOURCE WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED NYC PARKS DEPARTMENT [REDACTED] (NOT FURTHER DESCRIBED) IN THE NAME OF ~~NADAM BINH BRIGADE~~ (MBB) FOR N.Y. DEMONSTRATION AT WASHINGTON SQUARE PARK, NYC, ON SEPTEMBER NINETEEN NEXT. THE DEMONSTRATION IS TO BEGIN AT TWO PM. NO OTHER PARTICIPATING ORGANIZATION WAS LISTED BY [REDACTED] AND NO ESTIMATE OF NUMBER OF DEMONSTRATORS WAS AVAILABLE. MBB HAS BEEN DESCRIBED AS GROUP OF WOMEN ORGANIZED AROUND THE GEORGE JACKSON SLAYING IN CALIFORNIA AND THE ATTICA PRISON RIOT. THEIR ACTIONS EXPECTED TO PROBABLY REVOLVE AROUND GENERAL PRISON REFORM THEME. (u)

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N.Y. ILL. [REDACTED] POSSIBLY IDENTICAL WITH [REDACTED] STUDENTS FOR A DEMOCRATIC SOCIETY (SDS) WEATHERMAN MEMBER ARRESTED BY CHICAGO PD, SEPTEMBER FIFTEEN AND TWO FOUR, NINETEEN SIXTY NINE, IN CONNECTION WITH WEATHERMAN DISTURBANCE IN CHICAGO PRIOR TO WEATHERMAN NATIONAL ACTION IN OCTOBER, SIXTY NINE. CONVICTED ON ABOVE CHARGES JUNE, SEVENTY, SENTENCED TO THREE MONTHS IN COOK COUNTY JAIL, AND THREE YEARS PROBATION. IN JULY, SEVENTY, NEUFELD INDICTED WITH TWELVE WEATHERMEN

END PAGE TWO

PAGE THREE

BY FEDERAL GRAND JURY, DETROIT, MICHIGAN FOR VIOLATION SECTION THREE SEVEN ONE, TITLE EIGHTEEN, UNITED STATES CODE. PRESENTLY FREE ON BAIL AWAITING TRIAL ON ABOVE CHARGES AT DETROIT. (u)

SDS WAS FOUNDED DURING JUNE SIXTY TWO AT PORT HURON MICHIGAN AND IN NINETEEN SIXTIES FUNCTIONED AS LEADING NEW LEFT CAMPUS-BASED STUDENT ORGANIZATION IN UNITED STATES. FROM STANCE OF "PARTICIPATORY DEMOCRACY," SDS MOVED TO RADICAL-REVOLUTIONARY POSITION. IT MAINTAINED NATIONAL OFFICE AT ONE SIX ZERO EIGHT WEST MADISON STREET, CHICAGO, ILLINOIS, UNTIL FEBRUARY SEVENTY. INTERNAL FACTIONALISM DURING NINETEEN SIXTY NINE PRODUCED THREE MAIN FACTIONS: WEATHERMAN, REVOLUTIONARY YOUTH MOVEMENT (RYM), AND WORKER STUDENT ALLIANCE (WSA). WEATHERMAN AND RYM NO LONGER CONSIDER THEMSELVES ASSOCIATED WITH SDS. WSA FACTION CONTINUES TO USE NAME SDS. (u)

WEATHERMAN, FORMERLY FACTION OF SDS, CONTROLLED SDS NATIONAL OFFICE FROM JUNE SIXTY NINE UNTIL ITS CLOSING IN FEBRUARY SEVENTY. WEATHERMAN THEN ENTERED AN UNDERGROUND STATUS AND ADOPTED TACTIC OF "STRATEGIC SABOTAGE," WITH POLICE AND MILITARY INSTALLATIONS DESIGNATED AS PRIMARY TARGETS. USA, SDNY, NYCPD AND NYSP ADVISED OF ABOVE. ADMINISTRATIVE- RENTELS DATED NINE THIRTEEN, FOURTEEN AND FIFTEEN LAST. CONFIDENTIAL SOURCES USED ABOVE ARE: FIRST - [REDACTED]

[REDACTED]
[REDACTED]
IS SUBJECT OF [REDACTED]

00 BS. (u)

NY WILL FOLLOW AND FURNISH RESULTS OF ABOVE DEMONSTRATIONS. (u)

END

TRC FBI WDC

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Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/18/71

Attached refers to situation at Attica, New York, following prison mutiny ending in deaths of ten hostages and 30 inmates.

Robert E. Fischer, New York State Special Assistant Attorney General, who has been named to investigate the riot has restricted statements by witnesses. Fischer is in charge of all criminal aspects of riot.

It has been determined that [redacted]

[redacted] is enroute to Attica, armed with a press pass of questionable origin, and intends to gain access to information. Buffalo being instructed to inform local authorities.

Information in attached being included in Summary to White House, Attorney General, Secret Service, military agencies, and copies being furnished to Inter-Division Intelligence Unit and Internal Security Division of Department.

TJS:owc

5/11/84
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-20-84 BY SP2 JAD
77 C10 999 DVT
Jan

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DECLASSIFY ON: 25X 3.3(1) 02-08-2031

2:209 9-17-71 TMT /// PM URGENT 9-17-71 DAT

~~TO~~ DIRECTOR (ATTN: DID)

ALBANY

FROM BUFFALO (157-1367)

NEW YORK STATE

Classified by ~~2210~~
Declassify on: OADR 1-20-84

Declassify on: OADR

PIOT BY INMATES, NYS CORRECTIONAL FACILITY, ATTICA, NY: EM

~~ROBERT E. FISCHER, A NYS SPECIAL ASSISTANT ATTORNEY GENERAL~~

WHO HAS BEEN APPOINTED TO INVESTIGATE THE ATTICA RIOT, STATED
SEPT. SIXTEEN LAST THAT HE WILL NOT "ALLOW ANY WITNESSES AT THIS
POINT TO DESCRIBE ANYTHING IN DETAIL OR REACH ANY CONCLUSIONS",
ACCORDING TO AN ARTICLE IN SEPT. SEVENTEEN, SEVENTYONE
EDITION OF THE BUFFALO COURIER EXPRESS, A LOCAL DAILY NEWSPAPER.

AN ARTICLE IN SEPT. SIXTEEN LAST EDITION OF THE BUFFALO
EVENING NEWS, A LOCAL DAILY NEWSPAPER, REPORTED THAT GOV. ROCKE-
FELLER HAD MOVED TO CONSOLIDATE THE SEPARATE INVESTIGATIONS INTO
THE RIOT AND HIS OFFICE STRESSED THAT FISCHER WAS IN CHARGE OF ALL
CRIMINAL ASPECTS OF THE PROBE.

AN ARTICLE IN THE SEPT. SEVENTEEN, SEVENTYONE EDITION OF THE
BUFFALO EVENING NEWS REPORTED THAT GOV. ROCKEFELLER AND STATE
LEGISLATIVE LEADERS ANNOUNCED TODAY AN IMPARTIAL CITIZENS COM-
MITTEE WOULD BE NAMED TO INVESTIGATE THE ATTICA RIOT. MEMBERS
TO BE SELECTED BY THE CHIEF JUDGE AND MEMBERS OF THE STATE COURT
OF

END PG ONE

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE~~ CC to 100, 150
Adm. Coll. deleted

CONFIDENTIAL

~~EXT. INT. SEC~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

PAGE TWO

ANOTHER ARTICLE IN THIS SAME EDITION NOTES THAT FOUR GROUPS ARE CURRENTLY INVOLVED IN THE ATTICA PRISON SITUATION:

ONE. A FIVE MEMBER PANEL APPOINTED BY JUSTICE HARRY GOLDMAN OF THE APPELLATE COURT, ROCHESTER, NY, TO PROTECT PRISONERS RIGHTS AND IMPLEMENT PRISON REFORM.

TWO. CONGRESSMAN CLAUDE PEPPER OF FLORIDA AND MEMBERS OF A CONGRESSIONAL SUB-COMMITTEE;

THREE. INVESTIGATION OF CRIMINAL ASPECTS BY FISCHER AND;

FOUR. THE CITIZENS COMMITTEE ANNOUNCED TODAY BY THE GOVERNOR.

A RELIABLE SOURCE ADVISED ON SEPT. SIXTEEN LAST THAT [REDACTED]

[REDACTED] LEFT FOR BUFFALO THAT

DATE [REDACTED] "LIBERATION

MAGAZINE" [REDACTED] WILL REPORT TO LIBERATION ON THE SITUATION

AT ATTICA PRISON. (U)

A SECOND RELIABLE SOURCE ADVISED ON SEPT. FIFTEEN LAST THAT

[REDACTED] CALIFORNIA, INTENDED TRAVEL-

ING TO NEW YORK ON SEPT. SIXTEEN LAST TO GET INVOLVED IN AFTERMATH

OF ATTICA PRISON RIOT [REDACTED] HAS OBTAINED A PRESS PASS FROM LOCAL

UNIVERSITY OF CALIFORNIA AT SANTA BARBARA CAMPUS RADIO STATION,

KCSB, AND INTENDS TO USE IT TO GAIN BETTER ACCESS TO INFORMATION.

[REDACTED] NOT KNOWN TO BE OFFICIALLY AFFILIATED WITH K C S B. SHE

END PG TWO

~~CONFIDENTIAL~~

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copy of press
pass to be given
to local officials

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

PG THREE

INTENDS TO RETURN TO SANTA BARBARA, CALIF., DURING FIRST OR
SECOND WEEK OF OCTOBER.

~~CONFIDENTIAL~~

[REDACTED] LEFT LOS ANGELES ENROUTE NEW YORK CITY ON SEPT.
SIXTEEN LAST ACCOMPANIED BY [REDACTED] *(Calif NY)*

b6
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b7D

[REDACTED]
[REDACTED] SANTA BARBARA AREA [REDACTED]

[REDACTED] ISLA VISTA DEPARTMENT OF JUSTICE, DESCRIBED BY SOURCES

[REDACTED] CALIF [REDACTED]
[REDACTED]

----- ADMINISTRATIVE -----

REMYTELS SEPT. SIXTEEN LAST. RE NEW YORK TEL TO DIRECTOR
SEPT. SIXTEEN LAST CAPTIONED [REDACTED] ET AL;
ARL-CONSPIRACY; COC; (TRAVEL BY DEFENDANTS)".

b6
b7C

RE LOS ANGELES TEL TO DIRECTOR SEPT. SIXTEEN LAST CAPTIONED

[REDACTED] SM-NL. (EXTREMIST)".

(C) b1

FIRST SOURCE IS [REDACTED] ~~(C)~~ SECOND SOURCE

IS [REDACTED]
[REDACTED]

b6
b7C
b7D

END

HOLD

MR. TRAINOR
ROOM 712-A 9&D

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

TELETYPE

REC 17
ES 1/10

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 005 BU CODE

2:22AM 9-18-71 TMT /// PM URGENT 9-17-71 DAT

TO DIRECTOR (ATTN; DID)

ALBANY

FROM BUFFALO (157-1371) 2P

H. P. Her
Deblan
C. P. Her

Geo. Moore
per

DEMONSTRATIONS ARISING FROM RIOT NEW YORK STATE CORRECTIONAL
FACILITY, ATTICA, NY; EM.

STATE PRISON

DE
Young

A RELIABLE SOURCE ADVISED A "BLACK FRIDAY" MEMORIAL RALLY WAS HELD THIS DATE FROM TWELVE NOON TO ONE FORTYFIVE PM IN VICINITY OF WAR MEMORIAL STADIUM, BUFFALO, NY. PURPOSE OF RALLY WAS TO DEMONSTRATE SOLIDARITY FOR ATTICA INMATES. RALLY ATTRACTED A CROWD OF APPROX. TWELVE HUNDRED ALL OF WHOM WERE BLACK, ALL AGE GROUPS REPRESENTED. THERE WERE NUMEROUS SPEECHES BY LOCAL BLACK COMMITTEE LEADERS. THE ONLY SPEAKER OF NATIONAL PROMINENCE ON THE PROGRAM WAS JAMES FORMAN, CHAIRMAN OF THE UNITED BLACK APPEAL. ADVISOR TO THE BLACK ECONOMIC DEVELOPMENT CONFERENCE AND FORMER HEAD OF THE STUDENT NON-VIOLENT COORDINATING COMMITTEE (SNCC). FORMAN'S SPEECH WAS ANTI-U.S. AND WAS CRITICAL OF PRESIDENT NIXON'S AND GOV. ROCKEFELLER'S POLICIES IN CONNECTION WITH THE RECENT DEVELOPMENTS AT ATTICA. HE ALSO MADE MENTION OF A TRIP HE HAD MADE TO THE PEOPLE'S REPUBLIC OF CHINA IN VIET NAM. PRIOR TO

7/1/71

Pa

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44-50605-50
157-23105-48
REC 17
EX-103

22 SEP 23 1971

END PG ONE

FBI

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adm. data deleted"

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PAGE TWO

THE TERMINATION OF THE RALLY, THOSE PRESENT WERE URGED TO PARTICIPATE IN A WORK STOPPAGE, NO SCHOOL AND BOYCOTT OF STORES ON FRIDAY, SEPT. TWENTYFOUR, NEXT. THE RALLY WAS WITHOUT INCIDENT AND THE MOOD OF THE CROWD DID NOT APPEAR TO BE OF A VIOLENT NATURE. LOCAL TV AND NEWS MEDIA COVERAGE ON SCENE AT RALLY.

----- ADMINISTRATIVE -----

REMYTEL SEPT. SIXTEEN ^{AM} LAST. SOURCE IS

☐ NO LHM BEING SUBMITTED.

END

HOLD

MR. TRAINOR
ROOM 712-A 9&D

b7D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 008 NY CODE

1115 PM URGENT 9-

SEP 19 1971

TELETYPE

TO DIRECTOR

ATTN: DID

ALBANY 157-1017)

BOSTON (100-37760)

FROM NEW YORK (100-174297)

Mr. Tolson_____
Mr. Felt_____
Mr. Sullivan_____
Mr. Mohr_____
Mr. Bishop_____
Mr. Miller, ES_____
Mr. Callahan_____
Mr. Casper_____
Mr. Conrad_____
Mr. Dalbey_____
Mr. Cleveland_____
Mr. Pender_____
Mr. Rosen_____
Mr. Tavel_____
Mr. Walters_____
Mr. Soyars_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____

DEMONSTRATIONS RELATED TO ATTICA CORRECTIONAL FACILITY

RIOT, AT NYC, SEPTEMBER EIGHTEEN-TWENTY

SEVENTY ONE

IS-NEW LEFT.

ON SEPTEMBER NINETEEN, SEVENTY ONE BEGINNING AT TWO THIRTY PM
SAS OF THE FBI OBSERVED DEMONSTRATION WASHINGTON SQUARE PARK
NYC. TWELVE INDIVIDUALS CONDUCTED A "GUERRILLA THEATRE" TYPE
DEMONSTRATION, WHEREIN THEY CONDUCTED A MOCK PRESS CON-
FERENCE BY GOV. ROCKEFELLER, GOV. REAGAN OF CALIFORNIA, PRESIDENT
NIXON WITH THE PRESS. THEY READ A DIALOG IN WHICH
THEY DEPICTED ABOVE INDIVIDUALS TALKING ABOUT THE
ATTICA RIOT.

AMONG THE PERSONS TAKING PART IN THE DEMONSTRATION WERE:

[REDACTED] YOUTH INTERNATIONAL PARTY (YIP) COLLECTIVE

BOSTON, MASS.;

[REDACTED] - 50605-50X
SDS/WEATHERMAN;

[REDACTED] "CHICAGO CONSPIRACY SEVEN", A GROUP
SEP 22 1971

INDICTED FOR VIOLATIONS OF ANTI-RIOT LAW FOR ACTIVITIES

CARRIED ON DURING POLITICAL CONVENTION OF NATIONAL DEMOCRATIC

PARTY, IN CHICAGO, NINETEEN SIXTY EIGHT; [REDACTED]

END 5 SEP 28 1971
FBI

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PAGE TWO

STUDENTS FOR A DEMOCRATIC SOCIETY (SDS) WEATHERMAN MEMBER PRESENTLY FREE ON BAIL AWAITED TRIAL, IN DETROIT, MICH., WHERE HE WAS INDICTED WITH TWELVE WEATHERMEN BY FEDERAL GRAND JURY, DETROIT, FOR VIOLATION OF SECTION THREE SEVEN ONE, TITLE EIGHTEEN, UNITED STATES CODE.

THE YIP, ALSO KNOWN AS YIPPIES, IS A LOOSELY-KNIT, ANTI-ESTABLISHMENT, REVOLUTIONARY YOUTH ORGANIZATION FORMED IN NYC, JANUARY, NINETEEN SIXTY EIGHT.

SDS WAS FOUNDED DURING JUNE, SIXTY TWO, AT PORT HURON, MICH, AND IN NINETEEN SIXTIES FUNCTIONED AS LEADING NEW LEFT CAMPUS-BASED STUDENT ORGANIZATION IN UNITED STATES. FROM STANCE OF "PARTICIPATORY DEMOCRACY", SDS MOVED TO RADICAL-REVOLUTIONARY POSITION.

WEATHERMAN, FORMERLY FACTION OF SDS, CONTROLLED SDS NATIONAL OFFICE FROM JUNE, SIXTY NINE UNTIL ITS CLOSING IN FEBRUARY, SEVENTY. WEATHERMAN THEN ENTERED AN UNDERGROUND STATUS AND ADOPTED TACTIC OF "STRATEGIC SABOTAGE", WITH POLICE AND MILITARY INSTALLATIONS DESIGNED AS PRIMARY TARGETS.

END PAGE TWO

PAGE THREE

THE DEMONSTRATION ENDED AT APPROXIMATELY THREE PM WITH
NO INCIDENTS OR ARRESTS DURING THE DEMONSTRATION.

ADMINISTRATIVE:

RE NY TEL TO BUR SEPTEMBER SEVENTEEN SEVENTYONE.

SAS WHO OBSERVED DEMONSTRATION WERE

NO LHM TO FOLLOW.

END

REM FBI WASHDC

b6
b7C

NR 001 NY PLAIN

1144 AM NITEL 9-19-71 TJG

TO DIRECTOR

ATTENTION DOMESTIC INTELLIGENCE DIVISION

ALBANY

FROM NEW YORK (100-174297)

DEMONSTRATION PROTESTING ATTICA STATE PRISON

RIOT HELD AT UNION SQUARE AND ROCKEFELLER CENTER, NYC
SEPTEMBER EIGHTEEN, SEVENTY ONE. IS-NEW LEFT.

ON SEPTEMBER EIGHTEEN, SEVENTY ONE, SA'S OF THE FBI
OBSERVED APPROXIMATELY FIFTEEN HUNDRED PERSONS AT A RALLY
AT UNION SQUARE, NYC. THE RALLY BEGAN AT ONE THIRTY P.M.
AND THE CROWD SHOUTED "ATTICA MEANS FIGHT", "ATTICA MEANS
FIGHT BACK". SPEAKERS AT THE RALLY WERE:

JOHN FROINES, WHO STATED HE WAS IN BUFFALO, N.Y. AND ATTICA
STATE PRISON EARLIER THIS WEEK AND HE RECOUNTED THE ACTIVITIES
AT ATTICA DURING THE RIOT. HE STATED THAT [REDACTED] WENT
ON A HUNGER STRIKE WHILE IN PRISON IN NINETEEN FORTY THREE PROTESTING
PRISON CONDITIONS AND IN NINETEEN SEVENTY ONE [REDACTED] HAVE DONE
THE SAME THING. HE STATED THAT THIS PROVES THAT THE ONLY WAY DEMANDS FOR
REFORM WILL BE ANSWERED IS THROUGH USE OF FORCE AND ACTS OF REBELLION
IN AMERICA. FROINES STATED IT IS UP TO US TO FORCE THOSE DEMANDS.
HE STATED ATTICA IS VIETNAM ALL OVER AGAIN,
AND INSTEAD OF NIXON IT IS ROCKEFELLER DEMANDING THE
RELEASE OF HOSTAGES BEFORE NEGOTIATING THE DEMANDS OF THE
PRISONERS.

FROINES IS A MEMBER OF THE "CHICAGO CONSPIRACY SEVEN" SEP 27 1971

A GROUP INDICTED FOR VIOLATIONS OF THE FEDERAL ANTI-RIOT LAW
FOR ACTIVITIES CARRIED ON DURING THE POLITICAL CONVENTION OF
THE NATIONAL DEMOCRATIC PARTY, IN CHICAGO IN NINETEEN SIXTY EIGHT.

END PAGE ONE

Copy
by re

☒ info ☐ action
date 9/21/71
by H.H. / J.C.

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. S. _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

b6
b7C

UNRECORDED COPY FILED IN

b6
b7C

PAGE TWO

(1 0 0 - 4 2 9 7)

NY
[REDACTED] ABOUT THE REASON FOR THE RALLY

b6
b7C

AND THAT ON SEPTEMBER TWENTY THIRD, NINETEEN SEVENTY ONE
THOSE IN ATTENDANCE SHOULD TRAVEL TO ALBANY TO DEMONSTRATE AT
THE GOVERNORS OFFICE IN FURTHER PROTEST OF THE ATTICA RIOT.

HE STATED THE WHITE RADICALS MUST UNITE WITH THE THIRD WORLD
PEOPLE IN UNITED ^{Action} WITH ~~ROBIN PALMER~~ WHO IS AN INMATE OF ATTICA
STATE PRISON AND THAT PALMER STATED, "THESE ARE BEAUTIFUL PEOPLE" *NY*

THEY MUST UNITE BEHIND THE PRISONERS DEMANDS. NOW THAT THE
HOSTAGES ARE FREE OR DEAD THEY MUST GO TO ALBANY TO SAVE MORE
LIVES AND DEMAND THE IMMEDIATE SAFETY OF THE PRISONERS AND
AN ANSWER TO THE PRISONERS DEMANDS" [REDACTED] STATED HE EXPECTED
DEMONSTRATIONS IN PRISONS AROUND THE COUNTRY ON OCTOBER TWO
NINETEEN SEVENTY ONE, AND ON OCTOBER THIRTEEN NINETEEN
SEVENTY ONE THERE WOULD BE A MORATORIUM ON BUSINESS AS USUAL IN
NEW YORK CITY AND THAT DEMONSTRATORS WOULD ATTEMPT TO STOP NYC.

[REDACTED] CHICAGO CONSPIRACY SEVEN" AND
[REDACTED]

NY [REDACTED] WHO STATED THAT WHAT HAPPENED IN ATTICA
IS A STRUGGLE OF NON-WHITE PEOPLE AGAINST THE STATE. SHE STATED
WE HAVE TO DEDICATE OURSELVES TO THE STRUGGLE OF THIRD WORLD
PEOPLE ALL OVER THE WORLD.

END OF PAGE TWO

PAGE THREE

(100-174297)

[REDACTED] ADVISED, WE ARE FIGHTING THE SAME ENEMY-THE U.S. GOVERNMENT. [REDACTED]

[REDACTED] SHE STATED, WE HAVE TO DO ANYTHING TO COMBAT THE WAR BEING WAGED AGAINST BLACKS AND PUERTO RICANS. SHE STATED, WE HAVE TO MAKE THIS THE HEAVIEST DAY IN NYC HISTORY.

[REDACTED] WEATHERMAN FACTION OF STUDENTS FOR A DEMOCRATIC SOCIETY.

SDS WAS FOUNDED DURING JUNE NINETEEN SIXTY TWO, AT PORT HURON, MICHIGAN, AND IN THE NINETEEN SIXTYS FUNCTIONED AS THE LEADING NEW LEFT CAMPUS-BASED STUDENT ORGANIZATION IN THE UNITED STATES. FROM A STANCE OF "PARTICIPATORY DEMOCRACY", THE SDS MOVED TO A RADICAL-REVOLUTIONARY POSITION. IT MAINTAINED A NATIONAL OFFICE AT ONE SIX ZERO EIGHT WEST MADISON STREET, CHICAGO, ILLINOIS, UNTIL FEBRUARY, NINETEEN SEVENTY. INTERNAL FACTIONALISM DURING NINETEEN SIXTY NINE PRODUCED THREE MAIN FACTIONS: WEATHERMAN REVOLUTIONARY YOUTH MOVEMENT (RYM), AND WORKER STUDENT ALLIANCE (WSA). THE WEATHERMAN AND RYM NO LONGER CONSIDER THEMSELVES ASSOCIATED WITH THE SDS. THE WSA FACTION CONTINUES TO USE THE NAME SDS. *NY*

[REDACTED] WHO STATED SHE WAS A MEMBER OF THE WORKERS
WORLD PARTY [REDACTED] ATTICA
STATE PRISON AS A MEMBER OF A GROUP CALLED

END PAGE THREE

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3

PAGE FOUR

(100-174297)

THE PRISONER SOLIDARITY COMMITTEE. SHE TOLD OF THE UNITY OF THE
OF THE PRISONERS AND SHE CONDEMNED GOVERNOR ROCKEFELLER
FOR CUTTING BACK WELFARE PAYMENTS AND CALLED IT GENOCIDE OF
THE POOR. SHE STATED GOVERNOR ROCKEFELLER IS AN INTERNATIONAL
FACIST DUE TO HIS STANDARD OIL INTERESTS. AN UNIDENTIFIED
MALE WHO CLAIMED TO BE A MEMBER OF THE BLACK PANTHER PARTY
STATED WE ARE AT WAR WITH THE SYSTEM. HE STATED THIS RALLY
SHOULD GO TO THE BATTLEFIELD, AND THE NEXT DEMONSTRATION
SHOULD BE A NIGHT AND DAY BATTLE IN THE FORM OF A REVOLUTION.
THE BLACK PANTHER PARTY IS A BLACK EXTREMIST ORGANIZATION STARTED
IN OAKLAND, CALIFORNIA IN DECEMBER NINETEEN SIXTY SIX.

IT ADVOCATES THE USE OF GUNS AND GUERRILLA TACTICK TO BRING
ABOUT THE ~~OVERTHROW~~ OF THE U.S. GOVERNMENT. *N.Y.*

[REDACTED] A FEMALE, [REDACTED]

ATTICA, [REDACTED] SHE STATED ATTICA WAS A HORROR SCENE
AND THE REAL CRIMINALS WERE GOV. ROCKEFELLER, AND CORRECTION
OFFICER OSWALD, AND OTHER STATE OFFICIALS. SHE STATED TREAT-
MENT OF THE INJURED PRISONERS WAS HELD OUT AS A WEAPON AND USED AGAINST
THEM. SPONSORS OF THE RALLY WERE AS FOLLOWS:
100-174534
FIFTH AVENUE VIETNAM PEACE PARADE COMMITTEE; A NEW YORK CITY
BASED ORGANIZATION WHICH HAS ORGANIZED AND PARTICIPATED IN ANTI-
WAR DEMONSTRATIONS IN NYC AND ELSEWHERE.

END PAGE FOUR

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b7C

PAGE FIVE

(100-174297)

HARRISBURG DEFENSE COMMITTEE; A GROUP OF INDIVIDUALS WHO ARE ACTIVE IN RAISING FUNDS FOR THE LEGAL COSTS INCURRED BY THOSE INDICTED FOR DESTRUCTION OF GOVERNMENT PROPERTY AND CONSPIRACY TO DESTROY GOVERNMENT BUILDINGS IN WASHINGTON D.C. (WDC) AND KIDNAP A GOVERNMENT OFFICIAL.

100-448092-
VIETNAM VETERANS AGAINST THE WAR; A VETERANS ORGANIZATION LOCATED IN NEW YORK CITY WHO SEEK AN IMMEDIATE CESSATION OF U.S. MILITARY INVOLVEMENT IN INDOCHINA.

978
WAR RESISTERS LEAGUE; A BRANCH OF WAR RESISTERS INTERNATIONAL, A PACIFIST ORGANIZATION.

100-438904
YOUTH AGAINST WAR AND RACISM; A YOUTH GROUP OF THE WORKERS WORLD PARTY.

100-430172
WORKER WORLD PARTY; AN ORGANIZATION THAT ADVOCATES UNCONDITIONAL SUPPORT OF THE SOVIET UNION AND THE BUILDING OF A REVOLUTIONARY PARTY GEARED TO THE OVERTHROW OF CAPITALISM.

100-467051
PEOPLES PEACE TREATY; A GROUP THAT HAS NEGOTIATED A TREATY WITH STUDENTS OF NORTH VIETNAM AND ATTEMPTING TO HAVE THE PEOPLE OF THE U.S. RATIFY IT.

100-464219
MAY DAY COLLECTIVE; AN ORGANIZATION THAT TOOK PART IN THE DEMONSTRATION IN WASHINGTON D.C. DURING THE FIRST WEEK OF MAY NINETEEN SEVENTY ONE, SPONSORED BY THE PEOPLES COALITION FOR PEACE AND JUSTICE (PCPJ) PCPJ; A COALITION OF OVER ONE HUNDRED NEW LEFT TYPE ORGANIZATIONS WHICH TOOK PART IN THE DEMONSTRATIONS AT WASHINGTON D.C. IN APRIL AND MAY NINETEEN SEVENTY ONE.

END PAGE FIVE

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PAGE SIX

(100-174297)

N4

SPONSORS OF THE RALLY

~~MADAME DIN BRIGADE; A GROUP OF WOMEN ORGANIZED AROUND THE GEORGE JACKSON SLAYING IN CALIFORNIA AND THE ATTICA PRISON RIOT.~~

COMMITTEE TO AID THE NATIONAL LIBERATION FRONT ; - SOUTH VIETNAM.

AT APPROXIMATELY TWO THIRTY P.M. THE RALLY AT UNION SQUARE TERMINATED AND THE CROWD MARCHED TO ROCKEFELLER CENTER, NYC VIA FOURTEENTH STREET TO EIGHTH AVENUE UP TO FOURTY SECOND STREET AND EAST TO AVENUE OF THE AMERICAS AND ROCKEFELLER CENTER.

THE MARCHERS CARRIED A LIFE SIZE DUMMY DEPICTED AS GOV.

ROCKEFELLER FROM THE RALLY AT UNION SQUARE TO THE RALLY AT ROCKEFELLER CENTER WHERE THEY BURNED IT.

ONLY ONE SPEAKER AT THE RALLY AT ROCKEFELLER CENTER, ~~KEY-~~

N4

~~MARTIN~~, WHO DESCRIBED HIMSELF AS A ~~MEMBER OF THE YOUTH AGAINST WAR AND FACISM~~. HE SPOKE ABOUT THE NEED FOR DEMONSTRATIONS AGAINST THE

KILLINGS AT ATTICA, AND THAT JUSTICE FOR BLACKS AND WHITES IS NOT THE SAME. THE RALLY ENDED AT FOUR THIRTY P.M.. THERE WERE NO INCIDENTS OR ARRESTS DURING THE MARCH OR RALLY.

ADMINISTRATIVE

RE NY TEL TO BUR SEPTEMBER SEVENTEEN SEVENTYONE

SAS WHO OBSERVED THE RALLIES AND MARCH WERE

[REDACTED]

[REDACTED]

NO LHM TO FOLLOW.

END TJG FBI NEW YORK

b6
b7C

6

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/20/71

Attached relates about 70 individuals conducted a demonstration in front of Governor Rockefeller's office in New York City on 9/20/71. The demonstrators were protesting the recent riot at Attica, New York, and the War in Vietnam. Rockefeller was described as a murderer. One person was arrested for harassment.

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

ABK:cal

[Handwritten signature]

[Handwritten signature: RDC]

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 20 1971 *mxw*

TELETYPE

NR45 NY PLAIN

1010 PM NITEL 9-20-71 FPN

TO DIRECTOR

ATT DID

ALBANY

FROM NEW YORK

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Cleveland	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

E
DEMONSTRATIONS RELATED TO ATTICA CORRECTIONAL FACILITY RIOT

AT NYC SEPTEMBER ONE EIGHT- TWO ZERO NEXT IS- NEW LEFT

m
SAS FOR THE FBI AT FOUR FIVE ZERO PM THIS DATE OBSERVED APPROXIMATELY SEVENTY INDIVIDUALS COMMENCE A PICKET LINE DEMONSTRATION IN FRONT OF GOVERNOR NELSON ROCKEFELLER'S NYC OFFICE TWO TWO WEST FIVE FIVE ST., NYC.

PICKETS CARRIED TWO BANNERS ONE READ "WAR WITHOUT TERMS, MADAME BINH BRIGADE"; THE OTHER READ "PRISONERS SOLIDARITY COMMITTEE".

PICKETS CHANTED "ROCKEFELLER MURDERER, TEAR DOWN THE JAILS" AND "ATTICA MEANS FIGHT BACK". AT FIVE TWO FIVE PM THE PICKET LINE DEMONSTRATION ABRUPTLY ENDED DUE TO INCLEMENT WEATHER.

N.Y. MADAME BINH BRIGADE HAS BEEN DESCRIBED AS A GROUP OF WOMEN ORGANIZED AROUND THE GEORGE JACKSON SLAYING IN CALIFORNIA AND THE ATTICA PRISON RIOT. THEIR ACTIONS EXPECTED TO PROBABLY REVOLVE AROUND GENERAL PRISON REFORM THEME.

END PG ONE

"cc to IDIU"

54 SEP 20 1971

PG TWO

ON THIS DATE A REPRESENTATIVE OF NYCPD ADVISED THAT DURING THE ABOVE DEMONSTRATION A NEGRO FEMALE WHO WAS CARRYING A VIETCONG FLAG WAS ARRESTED FOR " HARRASSMENT".

ADMINISTRATIVE

RENYTEL SEPTEMBER ONE SEVEN LAST SAS OBSERVING DEMONSTRATION

[REDACTED] JOHN W. ROBINSON, HENRY E. NAEHLE. DET. [REDACTED]

[REDACTED] SIS, NYCPD, FURNISHED INFO RE THE ARREST. NY WILL

OBTAIN NAME OF FEMALE ARRESTED AND SUBMIT LHM.

END

b6
b7C

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 23 1971

TELETYPE

NR008 CG CODED

429PM URGENT 9-21-71 EOM

TO DIRECTOR (ATTN: DID)

ALBANY

BUFFALO H (157-1367)

FROM CHICAGO (157-7218) (P)

RIOT BY INMATES ^① ATTICA STATE PRISON SHARPLES. *Sharple's*
ATTICA, NEW YORK. EXTREMIST MATTER. *Bennett*

A
[REDACTED] FEMALE NEGRO, FIVE FEET FIVE INCHES,
ONE HUNDRED FIFTYFIVE POUNDS, BLACK HAIR, BROWN EYES, BORN

[REDACTED] RESIDES [REDACTED]
[REDACTED]
[REDACTED] *ST 101*
[REDACTED]

PEOPLES LAW OFFICE (PLO), CHICAGO. PLO ATTORNEYS HAVE BEEN

IDENTIFIED AS SUPPORT GROUP AND SYMPATHIZERS WITH WEATHERMAN

FACTION OF STUDENTS FOR A DEMOCRATIC SOCIETY (SDS) *44-50605-51*

WEATHERMAN, FORMERLY A FACTION OF SDS, CONTROLLED THE SDS

NATIONAL OFFICE FROM JUNE, SIXTYNINE, UNTIL ITS CLOSING IN SEP 23 1971

FEBRUARY, SEVENTY. WEATHERMAN THEN ENTERED AN UNDERGROUND STATUS

AND ADOPTED A TACTIC OF "STRATEGIC SABATOGUE," WITH POLICE AND

MILITARY INSTALLATIONS DESIGNATED AS PRIMARY TARGETS.

END PAGE ONE

FOX
57 OCT 1 1971

REC-47
112

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

ST 101
REC-47 157-23105-45

PAGE TWO

RELIABLE SOURCE ADVISED TODAY [REDACTED]

[REDACTED] REPORTEDLY DEPARTED CHICAGO, P.M. 212 SEPTEMBER TWENTY, LAST, FOR ATTICA, NEW YORK. PURPOSE OF TRAVEL OR CONTACTS IN ATTICA UNKNOWN.

CAUTION: [REDACTED] SHOULD BE CONSIDERED DANGEROUS BECAUSE OF HIS NEW LEFT EXTREMIST ACTIVITIES.

ADMINISTRATIVE

RE BUFFALO TEL INSTANT.

SOURCE IS [REDACTED] (PROB).

[REDACTED] OF CHICAGO OFFICE.

CHICAGO CLOSELY FOLLOWING, PERTINENT INFORMATION DEVELOPED WILL BE FURNISHED BUREAU AND INTERESTED OFFICES.

END

EBR FBI WASH DC

b6
b7C
b7D

b6
b7C
b7D

CE
MR. TRAINOR
ROOM 712-A 9&D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR002 BU CODE

SEP 21 1971

513 PM URGENT 9-21-71 NDN

TELETYPE

TO DIRECTOR

ALBANY

CHICAGO

FROM BUFFALO (157-1367) 1P

ATTICA STATE PRISON

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA, NEW YORK,

EM, 00: BUFFALO

ON SEPT. TWENTYONE, INSTANT, [REDACTED]

BCI,

b6
b7C

NEW YORK STATE POLICE, BATAVIA, NEW YORK, TELEPHONICALLY ADVISED

[REDACTED] HAD ATTEMPTED TO ENTER ATTICA PRISON TO PASS OUT SDS
MATERIAL AND WHEN REFUSED ADMITTANCE, BEGAN PASSING MATERIAL OUT
OUTSIDE THE PRISON. HE DESCRIBED [REDACTED] AS A NEGRO FEMALE IN HER

ILL.

ADMINISTRATIVE:

REMYTELCAL TO CHICAGO, SEPT. TWENTYONE, INSTANT.

INDICES BUFFALO OFFICE NEGATIVE RE [REDACTED]

44-50605-52

SI-106

CHICAGO FURNISH RESULTS OF INDICES CHECK IN FORM SUITABLE FOR

DISSEMINATION TO BUFFALO, BUREAU, AND ALBANY.

REC-65

157-23105-50

END.

SEP 23 1971

PLB FBIWA ACKS FOR 003 002

MR. TRAINOR
ROOM 712-A 9&D

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller *eml*

FROM : W. R. Wannall *Wannall*

SUBJECT: ATTICA PRISON RIOT
REQUEST BY VICE PRESIDENT'S
OFFICE FOR INFORMATION

ATTICA, NY

DATE: 9/21/71

Tolson _____
Felt _____
Sullivan _____
Mohr _____
DeLoach _____
Wick _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

On 9/20/71 [redacted] of the Vice President's Office contacted [redacted] and advised that the Vice President in the near future is scheduled to give a speech before a group of chiefs of police. His speech writer is seeking information regarding the crimes for which the leaders of this riot were convicted. He obviously wants to portray them as the vicious criminals they are rather than the innocent victims of a repressive system.

After checking, [redacted] was advised that the Bureau is not investigating the Attica Prison riots and we do not have the identities of the leaders. It was suggested he might want to contact New York State authorities to get the necessary speech material if in fact they are able to furnish such material at this time.

[redacted] was appreciative of the prompt response to his inquiry and indicated he might attempt to contact New York State authorities.

ACTION:

For information.

hc
RWT:hc

1-Mr. Sullivan
1-Mr. Bishop
1-Mr. E. S. Miller
1-Mr. Rosen
1-Mr. Wannall
1-Mr. Haynes

54 OCT 4 1971

REC'D DOW IN LEFT DIA

10 SEP 24 1971

ORIGINAL FILED IN 9

NR 025 NY PL

820 PM URGENT 9-22-71 BGW

TO DIRECTOR

ALBANY (157-1017)

BUFFALO (157-1367)

FROM NEW YORK (157-6968)

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK, EM.

Attica State Prison

ON SEPTEMBER TWENTY TWO, SEVENTY ONE, [REDACTED]

[REDACTED] PUBLIC SCHOOL SIX, NEW YORK CITY, ADVISED

THAT AT SCHOOL MEETING, SEPTEMBER FOURTEEN, SEVENTY ONE, SHE

OVERHEARD [REDACTED] TALKING

TO [REDACTED] AND STATE THAT BOTH [REDACTED] HAD DEMONSTRATED

AT ATTICA. [REDACTED] ALSO SAID [REDACTED]

QUOTE WE'LL GET OSWALD UNQUOTE. [REDACTED] COULD FURNISH

NO ADDITIONAL INFO THAT [REDACTED]

ADMINISTRATIVE

NEW YORK STATE POLICE, NEW YORK CITY AND NYCPD FURNISHED

END PAGE ONE

FEDERAL BUREAU OF
COMMUNICATIONS

SEP 22 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Tele. Room	_____
Mr. Holloman	_____
Mr. Gandy	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Mr. Tele. Room	_____
Mr. Holloman	_____
Mr. Gandy	_____

b6
b7C

44-50605-53

157-23105-49

ST-117

REC-23

SEP 24 1971

51 SEP 29 1971

PAGE TWO

ABOVE INFO.

NEW YORK OFFICE INDICES NEGATIVE



ALBANY REQUESTED TO FURNISH ABOVE INFO TO BUREAU OF
CRIMINAL INVESTIGATION, NYSP, ALBANY.

END

TRC FBI WDC

b6
b7C

MR. TRAINOR

ROOM 712-A 9&D

1 - Mr. R. P. Finzel
1 - Mr. P. E. Nugent
1 - Mr. W. C. Patterson
1 - Mr. D. A. Brumbaugh
9/22/71

Airtel

To: SACs, Buffalo
Detroit
Los Angeles (Enclosure)

ATTICA STATE PRISON

From: Director, FBI

UNSUB; [REDACTED], aka *NY*

EVERETT WATKINS - EM

157-23105-10
ReBUTel 9/11/71, captioned "Riot by Inmates,
New York State Correctional Facility, Attica, New York-EM."

Enclosed herewith is a copy of referenced teletype
for the Los Angeles Division.

MAILED 4

In referenced teletype Buffalo advised [REDACTED]

SEP 23 1971

FBI

"Democrat Chronicle," Detroit, Michigan, and
others appeared as observers at the Attica Prison 9/11/71.
Allegedly this individual, while in the prison yard, made

He also placed a telephone call to contact
Huey Newton, national leader of the Black Panther Party,
Oakland, California, to come to Attica. "The New York
Times" newspaper dated 9/14/71, contained an article
captioned "Panel's Failure Evident Day Before Police
Acted," authored by Francis X. Clines, datelined Attica,
New York, 9/13/71. This article indicated that one of
the panel members present observing the riot had been
Jaybarr Kenyatta, a former convict and black muslim
minister in Los Angeles.

Tolson _____
Felt _____
Sullivan _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Asper _____
Conrad _____
Albey _____
Cleveland _____
Under _____
Sen _____
Vel _____
Leters _____
Warrs _____
e. Room _____
mes _____
dy _____

DAB:bjn/mbb
(11)

EX-100

NOT-23

REC-23

15 SEP 23 1971

SEE NOTE PAGE TWO

62 SEP 30 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

Airtel to Buffalo, et al.

Re: UNSUB: [REDACTED]

b6
b7C

"The Evening Star" newspaper edition for 9/15/71, contained an article captioned "I Don't Believe I'll Ever Be Able To Forget," authored by Tom Wicker, New York Times newspaper service, which advised that among nine observers who entered Attica Prison on 9/13/71 was Minister Jabarr Ali Kenyatta of the black Muslims.

For information of all offices, this individual is unknown to Bureau files by any of the alias names shown above. Buffalo is to immediately institute investigation to fully identify this individual to determine his background and his involvement in extremist activities. Submit promptly results of subject's activities at the Attica Prison to Bureau in form suitable for dissemination. Los Angeles is to review their indices and immediately advise the Bureau and Buffalo if subject is known in their division and, if so, furnish resume of his background to Buffalo Division to be incorporated in communication to be submitted by that office relative to reporting his activities while at Attica.

Detroit Division is to immediately advise the Bureau and Buffalo Division of results of their indices check as requested in Buffalo teletype dated 9/11/71, referenced above.

NOTE:

As indicated above, individual identified in caption of this case is unknown to the Bureau and needs to be fully identified in view of this inflammatory statements made at the Attica Prison which portray very definite extremist attitudes. Instructions issued recipient offices to insure this individual is identified and his background and activities are promptly submitted to the Bureau in form suitable for dissemination.

Federal Bureau of Investigation
Records Branch

SEP 16 1971

, 19__

☐ Name Searching Unit - Room 6527
☒ Service Unit - Room 6524
☐ Forward to File Review
☒ Attention POORE
☒ Return to D. A. BRUMBLE Room 804
 Supervisor Room Ext. 2496

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☒ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☒ Buildup ☐ Variations

Subject

Birthdate & Place

Address

Localities

R#

Date

Searcher

Initials

Prod.

FILE NUMBER

SERIAL

NR

NI

157-14666

NR

NI

157-6-sub-26

ser 1542

b6
b7c

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 22 1971

TELETYPE

ATTENTION DID

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR017 CG CODED

11:15 PM NITEL 9-22-71 LAK

TO DIRECTOR

ALBANY

BUFFALO (157-1367)

FROM CHICAGO (157-7218) (P) 1P

Attica State Prison
RIOT BY INMATES NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,
NEW YORK. EXTREMIST MATTER.

RE CG TELETYPE, SEPTEMBER TWO ONE, LAST.

PHYSICAL SURVEILLANCE

FISUR VICINITY RESIDENCE [REDACTED] EIGHT P.M.,

INSTANT REVEALS [REDACTED] PRESENT IN CG.

CG CLOSELY FOLLOWING.

END

FBI WA RDR

EX 101

REC-2

44-50605-55

157-23105-54

16 SEP 27 1971

b6
b7C

51 OCT 1 1971
FBI TRAINOR
DOM 712-A 988

NY 100-174297

The files of the NYO contain no pertinent subversive information identifiable with [REDACTED]

b6
b7C

The LHM is being classified, "~~Conf~~idential" to protect the sources of continuing value. The unauthorized disclosure of information furnished by the sources could reveal their identity and could be prejudicial to the security interests of the country.

NY 100-174297

NON-SYMBOL INFORMANT ADMINISTRATIVE PAGE

The ~~representative~~ representative of the NYCPD who furnished the information on 9/17/71, 9/20/71 and 9/21/71 is [REDACTED]
[REDACTED]
who requested that his identity be concealed.

b6
b7C
b7D

DETACH.

CAUTION: NOT TO BE DISSEMINATED TO RESIDENT AGENTS.



~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

September 22, 1971

In Reply, Please Refer to
File No.

NYfile (100-174297)

DECLASSIFIED BY 60309 AUC TAM/MLT/CLS
ON 02-08-2006

Demonstrations Related to
Attica Correctional Facility
Riot at New York City,
September 18-20, 1971

On September 17, 1971, a representative of the New York City Police Department (NYCPD), advised that a demonstration was planned to be held at Governor Nelson Rockefeller's New York City (NYC) office located at 22 West 55th Street, NYC, on September 20, 1971 to protest the "massacre" at the Attica Correctional Facility, Attica, New York (NY).

Special Agents (SAs) of the Federal Bureau of Investigation (FBI) at 4:50 p.m. on September 20, 1971 observed approximately 70 individuals commence a picket-line demonstration in front of Governor Nelson Rockefeller's NYC office, 22 West 55th Street, NYC.

The picketers carried two banners, which read:

"War Without Terms, Madame Binh Brigade"
"Prisoners Solidarity Committee"

A source, who has furnished reliable information in the past, advised on September 13, 1971 that the Madame Binh Brigade is a group of women organized around the George Jackson slaying in

~~CONFIDENTIAL~~

GROUP I

Excluded from automatic
downgrading and
declassification

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation (FBI). It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-50605-55X

~~C O N F I D E N T I A L~~

Demonstrations Related to
Attica Correctional Facility
Riot at New York City,
September 18-20, 1971

California and the Attica prison riot. Their actions are expected to probably revolve around a general prison reform theme.

A second source, who has furnished reliable information in the past, advised in September, 1971 that the Prisoners Solidarity Committee is a front group of the Workers World Party (WWP).

WWP

The WWP was founded in 1959 by individuals who disagreed with policies of the Socialist Workers Party (SWP). The WWP dissidents advocated unconditional support of the Soviet Union and the building of a revolutionary party geared to the overthrow of capitalism. More recently the WWP has called for peaceful solutions to Sino-Soviet disputes.

The SWP has been designated pursuant to Executive Order 10450.

The picketers chanted "Rockefeller Murderer, Tear Down the Jails" and "Attica Means Fight Back."

At 5:25 p.m., the picket-line demonstration abruptly ended due to inclement weather.

The representative of the NYCPD advised on September 20, 1971 that during the above demonstration a Negro female, who was carrying a Vietcong flag, was arrested for "harassment".

The representative of the NYCPD advised on September 21, 1971 that the Negro female, who was arrested during the demonstration on September 20, 1971, was [redacted] date of birth [redacted] residence [redacted] NY. She was arrested on a charge of "harassment" inasmuch as she cast an aspersion on a patrolman's lineage.

~~C O N F I D E N T I A L~~

FBI

Date: 9/23/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI
ATTENTION: DOMESTIC INTELLIGENCE DIVISION

FROM: SAC, MINNEAPOLIS (157-1292) (RUC)

SUBJECT: RIOT BY INMATES, NEW YORK
 CORRECTIONAL FACILITY,
 ATTICA, NEW YORK
 EXTREMIST MATTERS
STATE PRISON
 OO: BUFFALO

Re New York teletype 9/13/71.

Minneapolis indices negative regarding [REDACTED]

Credit and arrest checks, as well as city
 directories and telephone directories at Minneapolis,
 failed to reflect anyone with the first name beginning
 with the letter [REDACTED] residing on

The address of
 [REDACTED] is non-existent.

- 2 - Bureau (RM)
 2 - Buffalo (RM)
 1 - New York (157-6968) (RM)
 1 - Philadelphia (157-6263) (RM)
 1 - Minneapolis

REC 12

757-23105-55
 44-50605-56
 6 SEP 27 1971

DTD:ras
 (7)

256 53 15 00 00 31
 EXT. INT. SEC.

Approved: _____
 Special Agent in Charge

Sent _____ M Per _____

★ U. S. GOVERNMENT PRINTING OFFICE: 1971-1413-130

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (176-1410)

DATE: 9/23/71

FROM : SAC, MILWAUKEE (176-1)(P)

SUBJECT:

ET AL (TRAVEL OF DEFENDANTS)
ARL - CONSPIRACY; (COC)

(OO: CHICAGO)

1- ISD, 694-G
1- EID 9-27-71
RJD-RK

Re Chicago teletype to Buffalo and others,
9/13/71; and, Milwaukee teletype to Bureau and others,
9/14/71.

A T T E N T I O N
Enclosed for the Bureau are the original and
seven (7) copies, and for Chicago and New York, two (2)
copies each, of a letterhead memorandum (LHM), dated as
above, and captioned, "WILLIAM MOSES KUNSTLER."

Enclosed LHM has been prepared by Milwaukee to
apprise the Bureau and interested Governmental agencies
of information ascertained by Milwaukee regarding KUNSTLER's
speech, which was given at Stout State University (SSU),
Menomonie, Wisconsin, on 9/14/71.

Source utilized in enclosed LHM is a well-
placed source.

Received 2 memo's & 6 LHM's

1-D 9/23/71, Rep: CAG

4 - Bureau (Encs. 8) (RM)

2 - (176-1410 - [redacted])

2 - (100-439612 - WILLIAM MOSES KUNSTLER)

2 - Chicago (Encs. 2) (176-5-Sub C) (RM)

2 - New York (Encs. 2) (RM)

1 - (176-133 - [redacted])

1 - (100-146994 - WILLIAM MOSES KUNSTLER)

3 - Milwaukee

1 - (176-1 - [redacted])

1 - (100-16748 - WILLIAM MOSES KUNSTLER)

1 - (100-16407 - STOUT STATE UNIVERSITY)

AJE:rab
(11)

NOT RECORDED
45 SEP 30 1971

ENCLOSURE



OCT

5 1971

U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC. FILED IN

176-1410-2168

UNRECORDED COPY AND COPIES FILED IN 100-439612

b6
b7C

MI 176-1

Source made the following observation regarding KUNSTLER's speech:

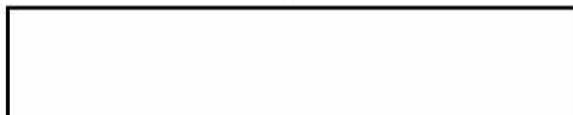
KUNSTLER did not actually appear to speak derogatory and when he referred to ROCKEFELLER, his manner appeared to be more like that of a court room attorney. He was well received by the audience, which consisted mainly of students, and he received several appreciating applauses. Some of this reflects back to his civil rights work, and the fact that he stated he is for the poor whites, the Blacks, and all other minority groups.

Any further travels by KUNSTLER to Wisconsin will be followed by the Milwaukee Division, and pertinent activities by this individual will be reported.

MI 176-1

ADMINISTRATIVE: NONSYMBOL SOURCE

Source utilized in Milwaukee LHM, submitted
by letter dated 9/23/44, is identified as follows:



(requested)

b6
b7C
b7D



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Milwaukee, Wisconsin
September 23, 1971

WILLIAM MOSES KUNSTLER

William Moses Kunstler was an attorney for the "Chicago 7" defendants, tried and convicted in U. S. Federal Court, Chicago, Illinois, for riotous activities during the 1968 Chicago National Democratic Convention. Kunstler, on February 15, 1970, was sentenced to four years and 13 days in jail on a contempt of court charge resulting from his actions during the course of the "Chicago 7" trial. He is currently free on \$50,000 bail, traveling throughout the U. S. speaking at rallies on and off college campuses. The topics of his speeches usually concern the items of "war, racism, and repression," wherein he urges listeners to resist authority and if change does not come, then to engage in revolution. Violence has followed many of Kunstler's speeches.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

157-23105

WILLIAM MOSES KUNSTLER

A source, who has furnished reliable information in the past, provided a copy of "The Stoutonia," the official newspaper of Stout State University (SSU), Menomonie, Wisconsin, dated September 10, 1971. This newspaper contained an article entitled, "Kunstler Speaks Here Tuesday," and reads, in part, as follows:

"Civil rights attorney William Kunstler will speak at Stout State University Tuesday, as part of the University's speaker's forum series. The speech, which will take place at 8:00 P.M. in the Fieldhouse, is ~~rescheduled~~ from last spring when a business commitment forced Kunstler to cancel his appearance at Stout."

Source advised on September 14, 1971, that William Kunstler gave a speech at the Fieldhouse on the SSU campus at 8:00 P.M., that date. Kunstler's speech was among those speeches presented by the University's speaker's forum series and was given to a capacity crowd of 2,000 to 3,000 people, plus a standing crowd. Kunstler advised in his speech that he had arrived in Menomonie, from the Attica Correctional Institute, where he was part of a 13 man group who pleaded with State Corrections Commissioner Oswald for more time to negotiate before sending State Troopers inside the prison walls. Kunstler stated that Oswald had several courses of action to take, other than granting amnesty to the prisoners, such as an extension of time to negotiate.

On Monday morning, Kunstler stated he was not allowed back inside the prison. He spoke of the noise created by the choppers dropping tear gas and the gunfire from the State Troopers.

Kunstler at first said he felt that 8 hostages had been killed by prisoners but that on this date, he said an autopsy report released showed that the 8 hostages had been killed by high-powered rifles, fired by the State Troopers, and were not killed by the convicts.

WILLIAM MOSES KUNSTLER

Kunstler said the prisoners' requests for communicating their demands on grievances with the superintendent had been ignored, therefore leaving the prisoners their only recourse of disruptive violence and confrontation to get attention to their demands.

Kunstler stated that the prisoners treated their hostages better than they themselves were treated. He mentioned that the hostages slept on the beds of the prisoners, received regular meals and were given adequate medical attention.

Kunstler referred to the convicts as being true heroes, based on their honesty and courage. He said that he, himself, in his middle class training, was not as clean or decent as the prisoners were, since he has had ample opportunity while the prisoners have had none.

Kunstler said that he and the prisoners could not accept any of the blame for the failure of Attica, as the prisoners said that the hostages would not be killed unless the State used force. He said that the State of New York merely created lies about the prisoners and at one point he became so angered that had he had a gun and Governor Rockefeller were standing before him, he could have shot him. Kunstler labeled Rockefeller a murderer who was guilty of the mass killings and compared Rockefeller with Hitler's actions against the Jews.

Kunstler referred to the statements made by Senators Buckley and Jacob Javits of New York, which mentioned the punishing of those responsible for the uprising and wondered what these two would now say since the autopsy report showed that the hostages were killed by State Troopers.

Kunstler said a manifesto presented by the prisoners listed 28 reforms, including drug reform, healthier diets, fresh fruit, recruitment for outside employment, true religious freedom, a Spanish Bible, etc.

WILLIAM MOSES KUNSTLER

In referring to the prisons of New York, Kunstler said that 80 per cent of the prisoners are Blacks or Puerto Ricans, but there are no Blacks, and only one Puerto Rican serving as correctional officers. He stated that the manifesto released by the Attica prisoners may serve as the spark necessary to set off rioting in other penal institutions.

Kunstler stated that on October 2, 1971, there will be demonstrations all over this country regarding our prison system and asked that the students go to such places as Attica or local county jails, and demonstrate for this cause of showing how antiquated our penal rules are. He said unless students speak out against the injustices that are part of their lives, our society can and will die.

The program lasted for one hour. Kunstler held a question and answer period following his speech, after which time all in the audience were invited to the Student Union for a coffee get-together with Kunstler, prior to his departure that night for Minneapolis, where he was to catch a flight to New York.

F B I

Date: 10-22-71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, ALBANY (44-691) (P)

SUBJECT: UNSUBS; Correction Officers, Attica
Correctional Facility, Attica
(Wyoming County), New York;
UNKNOWN VICTIMS - Inmates of Attica.
SUMMARY PUNISHMENT
CIVIL RIGHTS

Re telephone call from SAC JOSEPH GAMBLE at Buffalo, New York,
 10/21/71.

In accordance with instructions furnished to SAC, Albany, by SAC
 GAMBLE today, there are enclosed herewith for the Bureau photocopies of the
 medical records involved in this case. These were obtained today from
 _____ New York State Department of Correction
 facilities.

FD-302 covering these records is being submitted to the Buffalo
 Office.

2 Bureau (Enc: Photocopies) (RM)
 2 Buffalo (44-592)
 2 Albany

EAM:

ENCLOSURE

ENCLOSURE ON BULKY RAMP

ST 101

1 pt of end of
 CR 100-341-144-50605-59
 10/29/71
 EAM

OCT 25 1971

61 NOV - 1971

Approved: _____
Special Agent in Charge

Sent _____ M

NR003 BU CODE

4:25 PM URGENT 9-23-71 NDN

TO DIRECTOR

ALBANY (157-1017)

ST. LOUIS

FROM BUFFALO (157-1367) 1P

Attica State Prison
RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,
NEW YORK, EM.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 23 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

INVESTIGATOR [] BCI, NEW YORK SPOL, ATTICA, NEW YORK,
TODAY REQUESTED THAT BLOOD TYPE OF DECEASED INMATE KENNETH EDGAR HESS
BE OBTAINED FROM MILITARY SERVICE RECORDS. [] STATED HESS KILLED
BY OTHER INMATES DURING RIOT. HESS IS WHITE MALE, DOB MAY ELEVEN,
FORTYNINE, AND HAD USMC SN TWO SIX TWO EIGHT ONE ONE NINE OR TWO SIX
TWO EIGHT ONE SEVEN NINE, SERVED USMC APPROXIMATELY SIXTYSEVEN TO
SEVENTY, WHEN RECEIVED EITHER GENERAL OR DISHONORABLE DISCHARGE.

ST. LOUIS, AT ST. LOUIS, WILL CHECK MPRC RECORDS FOR BLOOD TYPE OF
HESS. FURNISH RESULTS TO BUREAU, ALBANY, AND BUFFALO.
END.

PLB FBI WA

EX-102

REC-4

1 SEP 27 1971

58 OCT 5 1971

cc. MR. TRAINOR
ROOM 712-A 9&D

WXA

NR010 AL CODE

10:52 PM URGENT 9-23-71 LVV

TO DIRECTOR (ATTENTION: DID)

BOSTON

BUFFALO

CHICAGO

BALTIMORE

NEWARK

NEW YORK

PHILADELPHIA

WFO

(ALL VIA WASHINGTON)

FROM ALBANY (100-22398) 4P

MARCH AND DEMONSTRATION SPONSORED BY PEOPLE'S COALITION
FOR PEACE AND JUSTICE TO PROTEST ACTIONS OF NEW YORK STATE
AT ATTICA STATE PRISON, ALBANY, NEW YORK, SEPTEMBER TWENTY-
THREE, NINETEEN SEVENTY-ONE.

REFERENCE IS MADE TO ALBANY MEMORANDA DATED SEPTEMBER TWENTY-
TWO AND TWENTY-THREE, NINETEEN SEVENTY-ONE, CAPTIONED AS ABOVE.

MARCH FROM BEVERWYCH PARK THROUGH THE BLACK COMMUNITY
TO THE CAPITOL STEPS COMMENCED AT ONE P.M. APPROXIMATELY
EIGHT HUNDRED PEOPLE PARTICIPATED IN THE MARCH, NINETY FIVE
PERCENT OF WHOM WERE IN HIPPIE ATTIRE.

THE DEMONSTRATION BEGAN ^{AT TWO FORTY-FIVE} ~~AT TWO FORTY-FIVE~~ IN THE AFTERNOON
WITH DAVID DELLINGER ACTING AS MASTER OF CEREMONIES. THE
OTHER SPEAKERS WERE CARMEN CARIGA (PH), DESCRIBED AS A

END PAGE ONE

600074 1971

NOT RECORDED

78 SEP 29 1971

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

ORIGINAL FILED IN 100-459471-765

PAGE TWO

RELATIVE OF A PRISONER CURRENTLY AT ATTICA, TOM SOTO, REPRESENTING THE PRISONERS SOLIDARITY COMMITTEE FROM BUFFALO, DOMINIGO RODRIGUEZ OF THE BUFFALO BUILD, CHARLENE DAVIS OF THE FREE ANGELA DAVIS DEFENSE COMMITTEE, JUANITA WOODSON, OF THE NATIONAL LAWYERS GUILD, RANDI RAPAPORT, WOMEN'S MEDIATION AND ALSO ASSOCIATED WITH THE PEOPLE'S COALITION FOR PEACE AND JUSTICE (PCPJ), FRANKLIN LAWRENCE OF THE MEDIATION COMMITTEE, ROCHESTER, NEW YORK, AND LYNN EDWARDS OF BLACK WORKERS CONGRESS. MESSAGES WERE READ FROM [REDACTED] OF THE BLACK WORKERS CONGRESS. THE THEME OF ALL THE SPEAKERS WAS THAT THE TRAGEDY AT ATTICA WAS THE FAULT OF GOVERNOR ROCKEFELLER AND PRESIDENT NIXON, AND THAT BOTH SHOULD BE INDICTED FOR MURDER.

b6
b7C

REFERENCED ALBANY MEMORANDUM OF SEPTEMBER TWENTYTWO STATED THAT THE APPLICANTS FOR THE PERMIT TO HOLD THE DEMONSTRATION ESTIMATED THAT APPROXIMATELY SIX TO TEN THOUSAND PEOPLE MIGHT PARTICIPATE.

APPROXIMATELY ONE THOUSAND PEOPLE WERE PRESENT AT THE DEMONSTRATION, OF WHICH IT IS ESTIMATED LESS THAN TEN PERCENT WERE BLACK. THE DEMONSTRATION ENDED AT FOUR FIFTEEN P.M. AMONG THOSE OBSERVED AT THE DEMONSTRATION BY SPECIAL AGENTS OF THE FBI WERE [REDACTED]

b6
b7C

END PAGE TWO

PAGE THREE

CHICAGO SEVEN DEFENDANT, AND [REDACTED] b6
BOTH OF WHOM ARE CPUSA FUNCTIONARIES FROM NEW YORK CITY. IT WAS b7C
ANNOUNCED AT THE END OF THE DEMONSTRATION THAT WORKSHOPS WOULD
BE HELD IN THREE AREA CHURCHES. ONE OF THESE WORKSHOPS WOULD BE
[REDACTED]

DAVID DELLINGER ANNOUNCED THAT ON OCTOBER FOURTEEN, NINETEEN
SEVENTY-ONE, THE HUMANITARIAN AWARD WOULD BE PRESENTED TO
GOVERNOR ROCKEFELLER IN THE GRAND BALLROOM OF THE HILTON HOTEL,
NEW YORK CITY, AND THAT HE, DELLINGER, AT THIS TIME, INVITED ALL
THOSE PRESENT AT THE DEMONSTRATION TO ATTEND. DELLINGER ALSO
ADVISED THAT ON OCTOBER SIX, NINETEEN SEVENTY-ONE, NEW YORK
CORRECTION COMMISSIONER OSWALD WOULD RECEIVE A SIMILAR AWARD AT
THE GEORGE WASHINGTON HOTEL, AND AGAIN INVITED ALL PRESENT TO
ATTEND, STATING THAT HE INTENDED TO BE THERE.

AMONG THE SIGNS OBSERVED AT THE DEMONSTRATION WERE "MASSACRE
AT ATTICA, ROCKEFELLER'S MY LAI," "ROCKEFELLER BILLIONAIRE
MURDERER OF ATTICA PRISONERS".

DELLINGER ALSO ANNOUNCED THAT OCTOBER TWO WAS TO BE A DAY
OF SOLIDARITY WITH DEMONSTRATIONS AT DANBURY, SAN QUENTIN,
END PAGE THREE

PAGE FOUR

ATTICA, ALDERSTON, AND OTHER PRISONS THROUGHOUT THE COUNTRY.
THAT ON OCTOBER THIRTEEN, THERE WOULD BE A STRIKE OF WORKERS
THROUGHOUT THE COUNTRY, AND NO ATTENDANCE AT SCHOOL CLASSES.

THERE WERE NO INCIDENTS OR ARRESTS.

UNITED STATES SECRET SERVICE ADVISED.

ADMINISTRATIVE DATA:

IS - NEW LEFT.

IDENTITY OF AGENTS WHO OBSERVED DEMONSTRATION MAINTAINED
IN ALBANY FILE. A SECURE RECORDING OF THE REMARKS OF DAVID
DELLINGER AND THE OTHER SPEAKERS WAS MADE.

DAVID DELLINGER DEPARTED ALBANY VIA BUS FOR NEW YORK CITY
SIX PM - [REDACTED] ON NINE TWENTYTHREE, SEVENTYONE.

NO LHM TO FOLLOW. - C-

END

LRS FBI WASHDC

R RELAY

b7D

'Go Back Where You Came From'

By AFENI SHAKUR

On the lips of almost every person in America is that strange word—Attica. Few, however, are willing to admit that had the American public voiced its concern when they were asked to by those inmates (weeks before), we would not have the blood of 40 human beings on our hands. We forget that some of those same people asked for these same basic demands a year earlier at the Tombs in Queens. They were duped at that time by empty promises.

Those of us who traveled the four hundred-odd miles to that armed camp feel more than outrage. There is tremendous grief and frustration. We went there with a proposal that would have saved lives, and yet we were barred from relaying that message. Instead, we were threatened at gun point and told to "go back where you came from."

Five times we approached the town of Attica and five times we listened to shotguns, rifles, and carbines being cocked at our heads. We were searched, interrogated and threatened.

Through persistent telephone calls to the negotiating team, we finally got our message to the inmates. The Governments of North Vietnam, North Korea, Algeria and Congo Brazzaville had indicated to the Black Panther party that they would accept in to their countries any inmate of Attica prison who wished to leave. At the command of the inmates, a jet would land at Kennedy Airport to safely transport those inmates to a "non-imperialist country."

Let us examine the value of such a proposal objectively. It is a fact that two to four hundred inmates who pushed for the demand had little to gain by any other terms. Those with prison terms exceeding seven years had absolutely nothing to lose but their lives. With the proposal came a new life in a country which would not condemn them to a cage for the rest of their lives. Some feared execution (rightly so) immediately after a surrender. They refused to die as anything but determined young men of dignity.

Some of us were in New York City jails during the insurrections here and we felt the negotiators should negotiate alongside the inmates instead of for them. We could have at least made it clear to the inmates that any promises of amnesty were not worth the paper they were written on. Their only hope was to survive and was

to receive safe passage out of America.

We went to Attica Saturday night and were met by an 8 A.M. to 8 P.M. curfew. Despite the fact that the town was practically deserted, we were flagged down by eight state troopers and a small group of town residents at a roadblock a mile from the concentration camp. They were, to the man, armed with .357 Magnum shotguns or semiautomatic carbines.

We identified ourselves to a trooper sergeant, while his backmen cocked their shotguns and leveled them at each of our heads. We informed the sergeant that we had vital information concerning the negotiations. He suggested we give him the information. We refused and were ordered to leave Attica.

The following morning (Sunday), we woke up William Kunstler of the observers committee and gave him the information to relay to the inmates. Dr. Curtis Powell, another observer, had attempted to see the inmates on Saturday morning. He managed to get outside of the prison that day only because the roadblocks weren't set up until the troopers declared the curfew.

The police and the state troopers were so hostile toward him that Delores Costello of WBAI asked the press if Dr. Powell could sit in their cars because she believed they would kill him.

Bobby Seale of the Black Panther party had permission to return, yet they still refused to let him go in. All any of us wanted to do was save the lives of our incarcerated brothers and they denied us this. The storm troopers were determined to have their bloodbath and they persisted in blocking anyone who attempted to stop it. And now the massacre has happened! It cannot be undone. Those people, all of them, were murdered on the direct orders of Governor Rockefeller and President Nixon.

Attica 1971 sounds like Moncada 1953. The unflinching fight for human dignity of those inmates, black, brown and white, must be carried forth by all of us who call ourselves human beings. The prisoners of Attica traded whatever racism they had for a common goal of liberation. Brothers Elton, Sam, Champ and the rest—we will not fail you as we did on September 13th. The torch of liberation has been lit and we indeed shall carry it forth.

Afeni Shakur was a defendant in the New York Black Panther trial.

Tolson _____
Sullivan _____
Mohr _____
DeLoach _____
Casper _____
Conrad _____
Dalbey _____
Felt _____
Gale _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Beaver _____
Tele. Room _____
Holmes _____
Gandy _____

ATTICA STATE PRISON

The Washington Post _____
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times 35 _____
The Daily World _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

EX-117

Date

9-23-71

REC 19

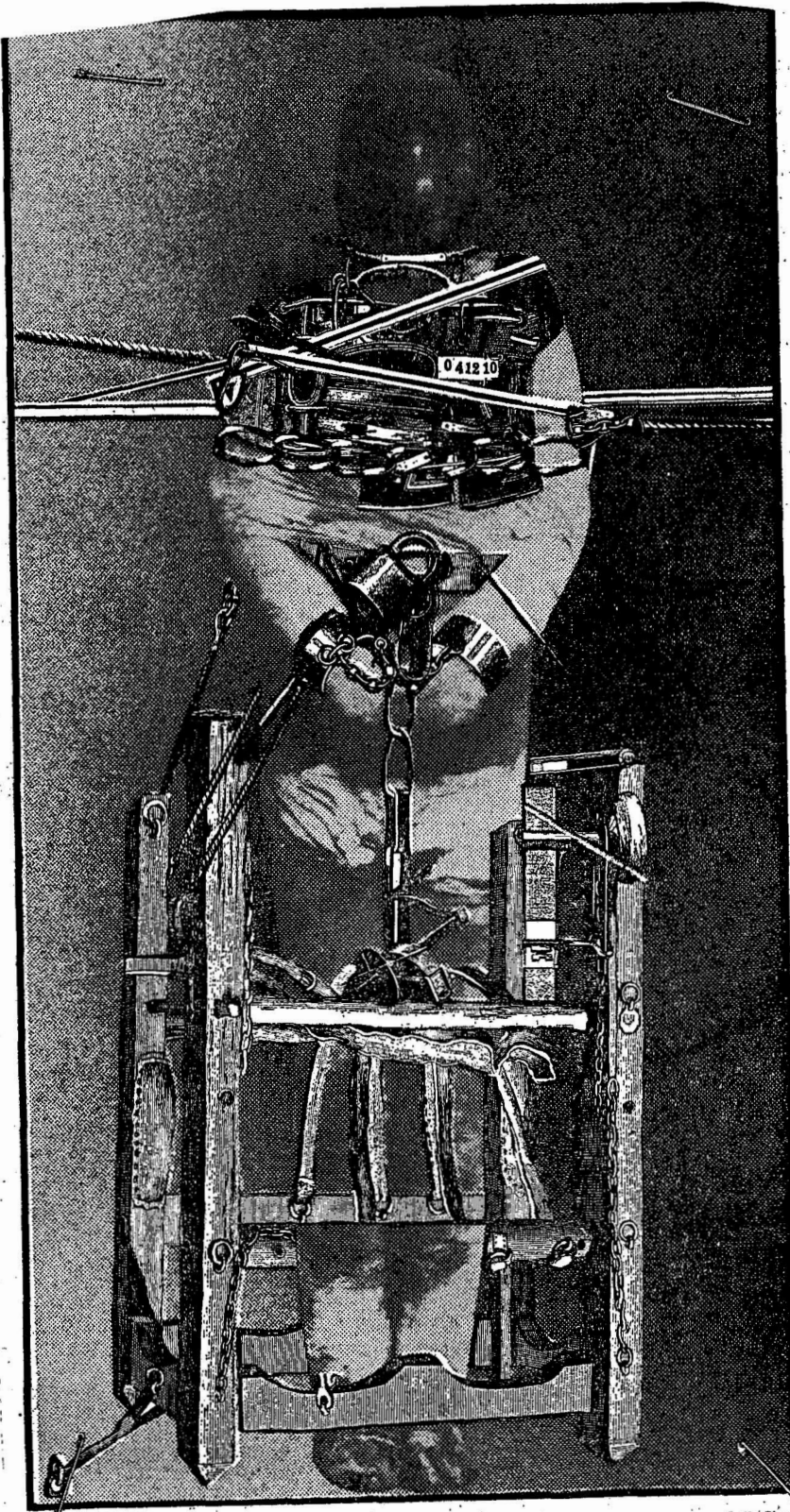
544-50605-A

157-23-115-A

NOT RECORDED

OCT 20 1971

F319



Anita Siegel

Tolson _____
 Sullivan _____
 Mohr _____
 Bishop _____
 Brennan, C.D. _____
 Callahan _____
 Casper _____
 Conrad _____
 Dalbey _____
 Felt _____
 Gale _____
 Rosen _____
 Tavel _____
 Walters _____
 Soyars _____
 Beaver _____
 Tele. Room _____
 Holmes _____
 Gandy _____

The Washington Post _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 The Daily World _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____

Date _____

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller

DATE: 9-24-71

FROM : G. C. Moore

SUBJECT: POSSIBLE DISRUPTIVE ACTIVITIES
SCHEDULED FOR SEPTEMBER 24, 1971
EXTREMIST MATTERS

Tolson _____
Felt _____
Sullivan _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

To advise of receipt of data indicating possibility of disruptive acts across the country this date.

b7E

On late afternoon of 9-23-71, information received from highly sensitive source of another Government agency, which data may not be disseminated outside the Bureau, and is for lead purposes only. Data indicates Key Black Extremist James Forman of New York City has issued call for nationwide mass rallies and demonstrations, including closing of schools and strikes by workers this date. Purpose is to focus attention on recent "massacre" of prisoners of New York State Correctional Facility, Attica, New York; the Administration's wage-price freeze; and the Vietnam war.

Source further advised request by Forman made to Communist leaders abroad to support U.S. Blacks' struggle against "rascism, imperialism and capitalism" by holding mass memorial services for inmates killed at Attica. Those leaders also advised that inmates of Attica desire safe passage outside the U.S.

In view of the late receipt of above information and urgency of information, teletype instructions were directed to appropriate field offices on the evening of 9-23-71. Field offices instructed to advise of positive information developed regarding the above-scheduled activities and to advise local authorities of positive information developed, independently through Bureau sources. You will be advised of additional pertinent information as it develops.

ACTION: For information.

PEN:lrs (10)

- 1 - Mr. W. C. Sullivan
- 1 - Mr. J. P. Mohr
- 1 - Mr. T. E. Bishop
- 1 - Mr. E. S. Miller
- 1 - Mr. G. C. Moore
- 1 - Mr. W. R. Wannall
- 1 - Mr. J. C. Trainor
- 1 - Mr. R. Young
- 1 - Mr. P. E. Nugent

NOT RECORDED

168 OCT 8 1971

EX-102

REC-32

SEP 27 1971

ORIGINAL FILED IN

FBI

Date: 10/22/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI
FROM: SAC, NEW YORK (44-2086)
SUBJECT: UNSUBS;
CORRECTIONAL OFFICERS, ATTICA
CORRECTIONAL FACILITY, ATTICA (WYOMING
COUNTY) NEW YORK.
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS

1cc. Enclosures furnished
CRD 694 C 10-28-71
EJmpmg
1cc CRU 10-28-71
EJmpmg

ReNYtels to Bureau, 10/20, 21/71.

Enclosed for the Bureau are four copies each of the items enumerated on the attached list.

Enclosed for Buffalo are two each of the same items.
Enclosed for Albany is one copy each of the same items.

LEAD

NEW YORK

AT NEW YORK, NEW YORK Will contact _____
Legal Aid Society on 10/27/71, to obtain a list
of Attica inmates into _____

2. Will contact _____
NYU Medical Center to determine when Judge HARRY GOLDMAN can
be interviewed.

- ENCLOSURE REC-23
- 2 - Bureau (Encls. 4)
 - 1 - Albany (Encls. 2)
 - 1 - Buffalo (Encls. 4)
 - 1 - New York

50605-58

OCT 25 1971

TFD:pal
(5)

54 NOV 5 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Enclosed also are the following in connection with
civil suit CV 197-410 in U. S. District Court.

- A. Index to Record On Appeal
- B. Supplemental Index to Record On Appeal
- C. Supplemental Clerk's Certificate
- D. Clerk's Certificate
- E. Temporary Restraining Order filed September 14,
1971
- F. Affidavit of [redacted] filed September 14,
1971
- G. Affidavit of [redacted] filed September 14,
1971
- H. Complaint filed September 15, 1971
- I. Affidavit and Order that proceeding be
transcribed at United States' expense
- J. Plaintiffs' Affidavit and motion for
reconsideration of court's ruling denying
access of plaintiffs' counsel to plaintiffs etc.
- K. Plaintiffs' - affidavits.
- L. Temporary Restraining Order of September 23, 1971
- M. Order Show Cause Signed September 23, 1971
by Judge CURTIN.
- N. Affidavit of [redacted] of September 28, 1971
- O. Writ of Habeas Corpus Ad Testificandum re
[redacted]
- P. ~~Writ~~ of Habeas Corpus Ad Testificadum re [redacted]
[redacted]
- Q. Writ of Habeas Corpus Ad Testificandum re [redacted]
[redacted]

b6
b7C

44-50605-58
ENCLOSURE

- T. Affidavit of [redacted]
- S. Order Show Cause why an order should not be entered dismissing the complaint
- T. Amended Complaint For Declaratory Judgment, Injunction and Other Appropriate Relief filed September 28, 1971, at United States District Court for Western District of New York
- U. Interim Order filed September 28, 1971
- V. Plaintiff's Notice of Appeal filed September 30, 1971
- W. Certification Pursuant to Federal Rule 54 (b) of Federal Rules of Procedure filed October 9, 1971
- X. Exhibit R1 - Notice to Trustees of [redacted] Correctional Facility [redacted] of September 24, 1971 [redacted] is included in (U) (Interim Order of September 28, 1971)
- Y. Five Writs of Habeas Corpus Ad Testificandum referring to [redacted]

b6
b7C

- [redacted] plus the Affidavit of [redacted]
- Z. Order of October 6, 1971 of Judge JOHN T. CURTIN ordering proceedings that the suit be transcribed at expense of the United States
- A1. Clerk's Certificate filed October 4, 1971 at United States Court of Appeals, Second Circuit
- A2. Temporary Restraining Order filed September 14, 1971, at United States District Court of Western District of New York
- A3. Affidavit of [redacted] filed September 14, 1971, at United States Court of Western District of New York
- A4. Affidavit of [redacted] filed September 14, 1971 at United States District Court of Western District of New York
- A5. Complaint for Declaratory Judgment, Injunction and other appropriate relief
- A6. Affidavit of [redacted]

44-50605-58
ENCLOSURE

- A7. Order of Judge JOHN CURTIN that proceedings at the suit be paid at expense of the United States
- A8. Brief for Appellants dated September 30, 1971
- A9. Brief for Appellees dated
- A10. Reply Brief for Appellants filed October 7, 1971, at United States Court of Appeals of Second Circuit

- A11. Copy of the transcript of proceedings of Civil Action Number 1971-410 (Inmates of the Attica Correctional Facility, [redacted], on behalf of themselves and all other persons similarly situated). As plaintiffs versus (NELSON ROCKEFELLER, Governor, State of New York; RUSSEL G. OSWALD, Commissioner of Corrections of the State of New York; [redacted] Attica Correctional Facility) as Defendants in United States District Court for Western District of New York at Buffalo, New York. These transcripts cover such hearings on September 14, to September 16, 1971, September 23, 1971, September 27, 1971, September 30, 1971, October 4, 1971, October 4, 1971, October 5, 1971 and October 6, 1971.

b6
b7C

44-50605-51
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 23 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR03 SL PLAIN

511PM NITEL 9-23-71 SEG

TO DIRECTOR

BUFFALO (157-1367)

ALBANY

FROM ST. LOUIS (157-NEW) 1P

Attica State Prison

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY; EM.

OO BUFFALO. *Attica, N.Y.*

RE BUFFALO TEL CALL INSTANT.

BLOOD TYPE NOT INDICATED IN MILITARY RECORDS OF KENNETH
EDGAR HESS, USMC TWO SIX TWO EIGHT ONE ONE NINE, FBI NUMBER
FIVE FIVE TWO NINE TWO FOUR F.

MEDICAL RECORDS FOR HESS TRANSFERRED TO VARO, BUFFALO,
NEW YORK, UNDER CLAIM NUMBER TWO SIX THREE TWO EIGHT NINE
FOUR ZERO, MARCH TWENTYFOUR, LAST, PER THEIR REQUEST.

RUC.

EX-102

REC-4

END

TMT FBI WA FOR TWO TU

1 SEP 27 1971

570
MR. TRAVERS
ROOM 712-A 9&D
5-1971

712-A

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR65 NY CODE

SEP 24 1971 *OK*

1110 PM URGENT 9-24-71 FPN

TELETYPE

TO DIRECTOR

ATT DID

ALBANY

BUFFALO

FROM NEW YORK

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

ATTICA CORRECTIONAL FACILITY

FUNERAL SERVICES FOR SIX SLAIN INMATES FROM ATTICA CORRECTIONAL
INSTITUTION, ATTICA NY TO BE HELD BROOKLYN., NY SEPTEMBER TWO FIVE
NEXT CIVIL UNREST

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/83 BY SP5TAP/DMS
CA 75-6203

ON SEPTEMBER TWO TWO LAST A CONFIDENTIAL SOURCE WHO HAS
FURNISHED RELIABLE INFO IN THE PAST, LEARNED THAT A MEETING
WAS SCHEDULED TO TAKE PLACE IN BKLYN., NY AT SEVEN PM THAT DATE
TO PLAN MEMORIAL SERVICE AND FUNERAL FOR PRISONERS KILLED AT
ATTICA STATE PRISON. SOURCE LEARNED A LEAFLET WOULD BE
PREPARED AT THIS MEETING RE FUNERAL PLANS AND BPP- CF AMONG
OTHERS WOULD BE INVOLVED.

EX-102

REPRESENTATIVE OF NYCPD ADVISED THAT MARCH AND FUNERAL
SERVICES FOR CAPTIONED INDIVIDUALS WILL BEGIN AT ELEVEN AM,
SATURDAY SEPTEMBER TWO FIVE NEXT WITH ASSEMBLY OF PARTICIPANTS
AT FULTON AND FLATBUSH AVE. EXTENSIONS, BKLYN., NY. PARTICIPANTS
WILL THEN MARCH TO CORNERSTONE BAPTIST CHURCH, LEWIS AND MADISON
AVE., BKLYN., NY WHERE SERVICES WILL TAKE PLACE BEGINNING
ABOUT TWELVE THIRTY PM AND LASTING TWO HOURS. FOLLOWING

END PG

54 OCT 7 1971

"cc: FBI"
Adm. data deleted

RESEARCH SECTION

PG TWO

SERVICES BODIES WILL BE TAKEN TO FREDERICK DOUGLAS MEMORIAL PARK, STATEN ISLAND NY FOR BURIAL.

FUNERAL SERVICE ORIGINALLY SCHEDULED FOR SUMMER ST. ARMORY, BKLYN., NY BUT CHANGED TO CORNERSTONE BAPTIST CHURCH WHEN SPONSORS WERE DENIED USE OF ARMORY.

NUMEROUS GROUPS INCLUDING REPUBLIC OF NEW AFRICA(RNA) BLACK PANTHER PARTY(BPP) LISTED AS CO- SPONSORS.

SIX SLAIN INMATES BODIES WILL BE ON VIEW AT CORNERSTONE BAPTIST CHURCH, FRIDAY INSTANT DATE UNTIL NINE PM.

ADMINISTRATIVE

SOURCE IS [REDACTED]

[REDACTED]

[REDACTED] NYO WILL AFFORD COVERAGE OF CAPTIONED EVENT.

END

MR. TRAINOR
ROOM 712-A 9&D

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, B. _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalb _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR002 BU PLAIN

SEP 24 1971

3:38 PM URGENT 9-24-71 NDN

TELETYPE

TO DIRECTOR (ATTENTION: DOMESTIC INTELLIGENCE DIVISION)

ALBANY

FROM BUFFALO (157-1367) 2P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY; EM.

OO: BUFFALO.

Attica State Prison

JOHN WEIDNER, ADMINISTRATIVE CHIEF, VARO, BUFFALO, ADVISED RECORD OF KENNETH EDGAR HESS, VA CLAIM NUMBER TWO SIX THREE TWO EIGHT NINE FOUR ZERO REVIEWED AND FOUND NOT TO CONTAIN BLOOD TYPE OF HESS. WEIDNER ADVISED FAILURE OF RECORD TO REFLECT BLOOD TYPE UNUSUAL BUT NOT CONTAINED IN RECORD. RECORD REFLECTED HESS RECEIVED DISHONORABLE DISCHARGE WHICH IS BAR TO VA BENEFITS.

ABOVE INFORMATION FURNISHED TO LT. [] NEW YORK STATE POLICE, ASSIGNED ATTICA CORRECTIONAL FACILITY, SEPT. TWENTYFOUR INSTANT.

LT. [] ADVISED ONE ADDITIONAL INMATE OF ATTICA CORRECTIONAL FACILITY DIED ABOUT SEVEN AM, SEPT. TWENTYTHREE LAST, AS A RESULT OF RIOT WHICH OCCURRED THAT INSTITUTION MAKING DEATH TOTAL FORTYONE.

[] IDENTIFIED DEAD INMATE AS RICHARD LEROY MOORE, WHITE MALE, BORN MAY TWENTYSIX, NINETEEN TWENTYTHREE, FBI NUMBER TWO DASH TWO

END PAGE ONE

FBI # 2-1246-856

Inmate at Attica Prison, N.Y.

57 OCT 7 1971

Final
EXT. SEC.

PAGE TWO

FOUR SIX DASH EIGHT FIVE SIX. MOORE SENTENCED STEUBEN COUNTY COURT
JULY TWENTYTWO, SIXTYNINE, ASSAULT SECOND DEGREE TO TERM OF FOUR
YEARS. CRIME OF ASSAULT WAS OF POLICE OFFICER BY AUTOMOBILE.

P.

ADMINISTRATIVE:

RE ST. LOUIS TEL, SEPT. TWENTYTHREE LAST.

END.

TJT FBI WASH DC CLR

cc-Mr. T. J. McInerney

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR016 NY CODE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

5 30 PM URGENT 9-25-71 JJT

SEP 25 1971

TO DIRECTOR

ALBANY

BUFFALO

FROM NEW YORK 157-892

TELETYPE

JP Moore
RP
re

FUNERAL SERVICES FOR SIX SLAIN INMATES FROM ATTICA CORRECTIONAL
INSTITUTION, ATTICA, NY, TO BE HELD BROOKLYN, NY,
SEPTEMBER TWENTYFIVE, SEVENTYONE. CIVIL UNREST.

5-1
Carter
Stark
2
Young
DeLoach

ON SEPTEMBER TWENTYFIVE, SEVENTYONE, SOURCE WHO HAS
FURNISHED RELIABLE INFORMATION IN PAST, ADVISED THAT AT
ABOUT ELEVEN AM THIS DATE, FUNERAL MARCH INCLUDING SIX HEARSES
CONTAINING BODIES OF SIX SLAIN INMATES OF ATTICA
CORRECTIONAL INSTITUTION BEGAN. SOURCE ESTIMATED POSSIBLY ONE
THOUSAND PARTICIPANTS IN MARCH. MARCHERS PROCEEDED TO
CORNERSTONE BAPTIST CHURCH, LEWIS AND MADISON AVENUES,
BROOKLYN, NY, WHERE SERVICES BEGAN AT ABOUT DNE PM THIS DATE.
LOCAL COMMUNITY LEADERS AND POLITICIANS IN MARCH
WHICH WAS HELD WITHOUT INCIDENT.

REC-13 44-50605-60
157-23155-62

END PAGE ONE

OCT 1 1971

EX-102

AGENCY: *CRD, ID, ISS*
HOW FORW: *PS*
DATE FORW: *9/20/71*
BY: *JP*

54 OCT 8 1971

PAGE TWO

REPRESENTATIVES OF NYCPD ADVISED THAT AT ABOUT FOUR PM
THIS DATE, SERVICES CONCLUDED AT CORNERSTONE BAPTIST CHURCH.
APPROXIMATELY SEVEN HUNDRED PARTICIPANTS IN SERVICES.

HEARSE ARE TO PROCEED TO FREDERICK DOUGLAS MEMORIAL
PARK, STATEN ISLAND, NY, WHERE BURIALS WILL TAKE PLACE.

THERE WERE NO INCIDENTS OR DISTURBANCES.

ADMINISTRATIVE

RENYTEL SEPTEMBER TWENTYFOUR, SEVENTYONE.

SOURCE IS

b6
b7C
b7D

LO LHM WILL BE SUBMITTED.

END

JTJ FBI WASH DC

see by Francis

October 1, 1971

EX-103

REC-53

44-50605-61

~~157-23106-14~~

Honorable Fletcher Thompson
House of Representatives
Washington, D. C. 20515

My dear Congressman:

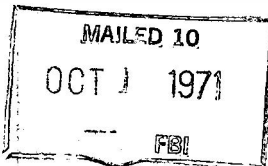
Your letter of September 27th enclosing
correspondence from [redacted] of Atlanta,
Georgia, has been received.

In reply to your inquiry, this Bureau does
not have investigative jurisdiction with respect to
riotous situations which occur in state institutions
and we are not conducting any investigation regarding
the recent events which transpired at the State Prison,
Attica, New York.

I am returning [redacted] letter.

Sincerely yours,

J. Edgar Hoover



Enclosure

- 1 - Atlanta - Enclosures (2)
- 1 - [redacted] - Enclosures (2) (detached)

NOTE: No record Bufiles [redacted] Prior cordial correspondence
with Thompson (R-Georgia).

JCW:jkm (6)

Tolson _____
Felt _____
Sullivan _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

57 OCT 13 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

[Handwritten signature]

[Handwritten signature]

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b6
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TEB/LLR
[Handwritten initials]

FLETCHER THOMPSON
MEMBER OF CONGRESS

COMMITTEES:
INTERSTATE & FOREIGN COMMERCE
INTERNAL SECURITY

Congress of the United States
House of Representatives
Washington, D.C. 20515

208
WAS
PH

5TH
327 OLD PC
PHC

Mr. Tolson	
Mr. Felt	
Mr. Sullivan	
Mr. Mohr	
Mr. Bishop	
Mr. Miller, E.S.	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Ponder	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

September 27

Chief, Congressional Liaison
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

I have received the attached letter from
my constituent, [redacted]

I will appreciate it if I could hear from
you with regard to his comments about the FBI investi-
gating the Attica prison break so that I may properly
advise my constituent. Any information you can give
me as to the FBI's involvement with such instances will
be appreciated.

Kindest personal regards.

Yours very truly,

FLETCHER THOMPSON
Member of Congress

(R. Ga.)

FT:cm
Enclosure

EXP. PROC.
SEP 29 1971

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REC-53

44-50605-61
157-23105-61

EX-103

SEP 29 1971

CORRESPONDENCE

ENCLOSURE

ack/nml
10-1-71
JCH/jkm

[Redacted]
[Redacted] 3311

September 15, 1971

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Mr. Fletcher Thompson
House of Representatives
Washington, D.C.

Dear Mr. Thompson:

I think I should write you about the prison break in New York. Congress should see that the F.B.I. investigates this and turn the evidence over to New York state. The way some people are trying to blame the guards and police the prisoners may not be blamed at all. I think the Federal Government should see that the prisoners are charged and if found guilty punished. There is a force it seems that is trying to overthrow our government and it should be stopped! If they get away with this it will be tried at other prisons.

There is also a revival of the gun control people, remember that Congress does not have the power to make gun laws!

Yours truly,

[Redacted]

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b7C

mm

~~157-23105-17~~

44-50605-61

ENCLOSURE

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9-27-71

Attached concerns the prison riot at New York State Correctional Facility in Attica, New York, and states that another inmate died on 9-25-71, bringing the total to 42. Representatives of the Attica Observer Committee which attempted to mediate the riot held a three-hour meeting on Sunday morning, 9-26-71, at the invitation of New York State Assemblyman Arthur O. Eve. The meeting was held at the headquarters of the Black Development Foundation and was attended principally by blacks and Puerto Ricans. They plan to issue a full report on the prison riot within 30 days. They plan to ask for extensive prison reforms and parole systems.

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to the White House, Vice President, Attorney General, Defense Intelligence Agency, and Secret Service.

ABK:lrs

RDC/SPS

WLS/SPS

SPS

✓
WLS
WSS

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 27 1971
TELETYPE

Mr. Tolson ✓
Mr. DeLoach ✓
Mr. Mohr ✓
Mr. Bishop ✓
Mr. Casper ✓
Mr. Callahan ✓
Mr. Conrad ✓
Mr. Felt ✓
Mr. Gale ✓
Mr. Rosen ✓
Mr. Sullivan ✓
Mr. Tavel ✓
Mr. Trotter ✓
Tele. Room ✓
Miss Holmes ✓
Miss Gandy ✓

MM02 BU CODE

638 PM NITEL 9-27-71 EWL

TO: DIRECTOR (ATTN DID)

ALBANY

FROM: BUFFALO 2P

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, EM. OO: BUFFALO
(ONE FIFTYSEVEN - ON THREE SIX SEVEN; ATTICA OBSERVER COMMITTEE, EM
Extremist Matter
DASH AOC. OO: BUFFALO (ONE FIFTYSEVEN - ONE THREE EIGHT ONE)

ON SEPT TWENTYSEVEN INSTANT, LT. [REDACTED] NEW YORK STATE POLICE,
ASSIGNED ATTICA CORRECTIONAL FACILITY, ADVISED ONE ADDITIONAL INMATE
OF ATTICA CORRECTIONAL FACILITY DIED SEPT TWENTYFIVE LAST NEW
MEMORIAL HOSPITAL, BUFFALO, NY AS RESULT OF RIOT WHICH OCCURRED THAT
INSTITUTION. DEATH TOTAL FORTYTWO.

[REDACTED] IDENTIFIED DEAD INMATE AS EDWARD RUSSELL MANEFEE, WHITE
MALE, BORN OCT TWENTYFIVE, NINETEEN FIFTY, BALTIMORE, MD, ATTICA
STATE PRISON INMATE NO. TWO FIVE FOUR NINE SIX. MANEFEE SENTENCED
CORTLAND COUNTY COURT AS YOUTHFUL OFFENDER SEPT SEVENTEEN, SIXTYNINE
TO A MAXIMUM TERM OF FOUR YEARS.

ON SEPT TWENTYSEVEN, INSTANT, DET. SGT. [REDACTED] SPECIALS
SERVICES SQUAD, BUFFALO PD, FURNISHED THE FOLLOWING INFO:

END PAGE ONE

62 OCT 1 1971 F417

"cc to IDIU
Adm. data deleted"

NOV 10 1971

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157-23361

PAGE TWO

REPRESENTATIVES OF ATTICA OBSERVER COMMITTEE WHICH ATTEMPTED TO
MEDIATE RECENT RIOT AT ATTICA CORRECTIONAL FACILITY HELD THREE HOUR
MEETING MORNING SUNDAY, SEPT TWENTYSIX LAST AT INVITATION OF NEW YORK
STATE ASSEMBLYMAN ARTHUR O. EVE. MEETING HELD AT HEADQUARTERS OF THE
BLACK DEVELOPMENT FOUNDATION, A BUFFALO, NY BLACK CAPITAL FOUNDATION,
ONE THREE ZERO EIGHT JEFFERSON AVE. AND WAS ATTENDED PRINCIPALLY
BY BLACKS AND PUERTO RICANS WITH ARTHUR O. EVE AND REPRESENTATIVE
HERMAN BADILLO OF NEW YORK CITY THE ONLY ELECTED OFFICIALS IN
ATTENDANCE.

IT WAS REPORTED THAT THE AOC WOULD ISSUE A FULL REPORT ON THE
PRISON RIOT WITHIN THIRTY DAYS. IT WAS FURTHER AGREED BY THOSE IN
ATTENDANCE AT THE MEETING THAT THE REPRESSIVE DEMANDS OF THE NEW YORK
STATE CORRECTIONAL OFFICERS UNION SHOULD BE REJECTED AND EXTENSIVE
REFORMS IN THE PRISON AND PAROLE SYSTEMS OF NEW YORK STATE SHOULD
BE ENACTED. P.

ADMINISTRATIVE

REFERENCES BUFFALO TEL TO BUREAU, SEPT TWENTYFOUR LAST, CAPTIONED
"RIOT BY INMATES NEW YORK STATE CORRECTIONAL FACILITY, EM" AND
ATLANTA TEL TO BUREAU, SEPT TWENTYTHREE LAST, CAPTIONED "ATTICA
OBSERVER COMMITTEE."

END

EBM FBI WA CLR

cc MR. TRAINOR
ROOM 712-A 9&D

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General

DATE: October 27, 1971

CIVIL RIGHTS DIVISION

FROM : Director, FBI

ATTENTION: Mr. Murphy

SUBJECT: **UNSUBS; CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
CIVIL RIGHTS**

Reference is made to _____ memorandum dated _____
(your file _____).

There is enclosed one copy of the report of Special
Agent _____ dated _____
at _____.

A. ☐ This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. ☐ The investigation is continuing and you will be furnished copies of reports as they are received.

C. ☐ The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. ☐ Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. ☐ Please advise whether you desire any further investigation.

F. ☐ This is submitted for your information and you will be advised of further developments.

G. ☒ (U) **LJM:sep** submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

NOT RECORDED

15 NOV 2 1971

H. ☐ This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs. **NOTE: Enclosed is a copy of a letter from Edward O. Carr, Jr. dated 10-26-71, to Special Agent _____**

Enc.

SEE NOTE ATTACHED:

55 NOV 4 1971

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Jib 6-80

RE: (On 694)

Pursuant to request of [redacted] to Special Agent [redacted] on 10-27-71, [redacted] is being advised that contents of his letter have been furnished Civil Rights Division which will contact him to resolve. No further action will be taken by this Bureau on this aspect.

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SA [redacted], NYO. Telephonically advised to inform Mr. Carr as indicated above. H [redacted] 10/27/71.

SAC Sample telephonically advised also.

Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/29/71

Attached relates to development concerning New York State investigation of Attica Prison riot.

According to ^{Deputy} [redacted]

[redacted] New York Attorney General Robert E. Fischer, Fischer [redacted]

This information was confidentially furnished to keep the Bureau up to date on developments and is therefore not being disseminated outside the Bureau.

TJS:lac

ESM
RTK

RDC/TJS

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PST
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WBS

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NR006 BU CODE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

1136 PM NITEL 9-28-71 EWL

DIRECTOR (ATTN DID)

ALBANY (157-1017)

FROM BUFFALO (157-1367) 3P

SEP 28 1971

TELETYPE

REC-5
Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Miller, ES
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. DeLoach
Mr. Cleveland
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

5-10-71
Geo. Moore

Attica State Prison
RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA,
NEW YORK, EM.

RE BUFFALO TEL, SEPT. TWENTYSEVEN LAST.

THE FOLLOWING SHOULD BE CONSIDERED CONFIDENTIALLY RECEIVED INFO
AND SHOULD NOT BE DISSEMINATED OUTSIDE THE BUREAU.

ON SEPT. TWENTYFIVE, LAST, [REDACTED]

NEW YORK, ADVISED [REDACTED]

NEW YORK STATE

ATTORNEY GENERAL ROBERT E. FISCHER IN THE RIOT INVESTIGATION WHICH
OCCURRED AT CAPTIONED FACILITY. DURING INFORMAL CONVERSATION WITH
BUREAU AGENT, [REDACTED] VOLUNTEERED THE FOLLOWING WHICH RELATES TO THE
STATE INVESTIGATION:

DEPUTY ATTORNEY GENERAL FISCHER [REDACTED]

END PAGE ONE

REC-6

157-23105-64

OCT 1 1971

EX-103

55 OCT 15 1971

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PAGE TWO

BU 157-1367

b6
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b7D

FISCHER

FISCHER IS CONDUCTING THREE SEPARATE HOMICIDE INVESTIGATIONS:
ONE INVOLVING THE DEATH OF GUARD WILLIAM QUINN WHO WAS ASSAULTED AT
THE OUTSET OF THE RIOT; THE HOMICIDE INVOLVING THE DEATH OF THREE
END

APGE TWO

PAGE THREE

BU 157-1367

INMATES WHOSE BODIES WERE FOUND FOLLOWING THE RIOT, ALL OF WHOM WERE WHITE MALES; AND THE HOMICIDES OCCURRING DURING THE ASSAULT BY LAW ENFORCEMENT OFFICERS ON THE FINAL DAY.

P.

END

~~H~~

EBM FBI WA CLR

MR. TRAINOR
ROOM 712-A 9&D

F B I

Date: 9/28/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (157-22627)
 FROM: SAC, NEW YORK (157-6852)
 SUBJECT: BLACK PANTHER PARTY - CLEAVER FACTION
 EM - BPP

On 9/24/71, [redacted] who has furnished reliable
 information in the past, advised that on that date one [redacted]
 [redacted] Freedom National Bank, New York City, con-
 tacted [redacted] a BPP - Cleaver Faction member, with respect

Later that day source advised that [redacted] con-
 tacted [redacted] of the New York Urban
 League, and mentioned that [redacted]

[redacted] explained that prior to the scheduled demonstration on
 9/18/71, protesting the events at Attica State Prison on 9/13/71,
 CHARLES KENYATTA, a well-known black activist in New York City, [redacted]
 gave a speech calling for contributions from the public for the
 Attica Observers Committee. [redacted]

② Bureau (RM)
 1-New York (157-6852 Sub C)
 1-New York (157-5510)
 1-New York

WAG:ss

(5)

Approved: **54 OCT 14 1971**

Special Agent in Charge

Sent

NOT RECORDED

SEP 29 1971

OCT 4 1971

Mans Per

EXT. INT. SEC.

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b7DORIGINAL FILED IN 157-22627-105-11210
UNRECORDED COPY FILED IN 105-11210

NY 157-6852

~~It would appear that the BPP - Cleaver Faction, with the~~

[REDACTED]

[REDACTED] New York will contact sources regarding this matter and keep the Bureau advised.

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b7C
b7D

UNITED STATES GOVERNMENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-19-2006 BY 60309/AUC/TAM/DCG/bls

Memorandum

TO : DIRECTOR, FBI DATE: 9/29/71
(ATTN: DOMESTIC INTELLIGENCE DIVISION)

FROM : SAC, BUFFALO (157-1367) (P)

SUBJECT: RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL FACILITY,
ATTICA, NEW YORK
EXTREMIST MATTER

Re Buffalo tels, dated 9/9/71.

Enclosed for the Bureau are the original and 12 copies of an LHM dated and captioned as above.

Two copies each of this LHM are being designated for the Albany and New York Offices in view of their continuing interest in this matter.

This LHM is classified "~~Confidential~~" to protect sources utilized whose identification could adversely affect the national defense interests.

For the information of the Bureau, close liaison has been maintained with the New York State Department of Corrections at the Attica Correctional Facility and the New York State Police and all pertinent information has been furnished to them.

The ~~confidential~~ sources mentioned in the attached LHM are identified as follows:

Source One

Source Two

A knowledgeable source
of the Buffalo Office

- 3 - Bureau (Encs. 13) (RM)
2 - Albany (157-1017) (Encs. 2) (RM)
2 - New York (157-6968) (Encs. 2) (RM)
4 - Buffalo

HHH:jae
(11)

Copy to ISD/IDIA/SS/BUREAU OF PRISONS
by routing slip for
info action

date 10/6/71

by RPA/KW

2cc 620d
6cc dist.

OCT 4 1971
EXT. INT. SEC.



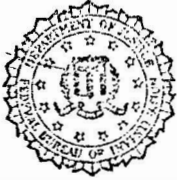
BU 157-1367

NON-SYMBOL SOURCE PAGE

Source Two is

(NA),

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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

September 29, 1971

In Reply, Please Refer to
File No.

~~CONFIDENTIAL~~

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL FACILITY,
ATTICA, NEW YORK.

On September 9, 1971, VINCENT R. MANCUSI, Superintendent, New York State Correctional Facility at Attica, New York, a maximum security prison, advised that during the evening hours of Wednesday, September 8, 1971, one Negro inmate, later identified as [redacted] and an unknown white inmate, became involved in a fight, the cause of which is unknown. In an attempt to break up the fight an unknown Correctional Officer was jumped when he attempted to stop the fight. Both the inmates and the guard were given a medical examination and the two inmates were returned to their respective cells. Shortly thereafter [redacted] was removed from his cell and placed in solitary confinement.

MANCUSI continued that during the night rumors spread throughout the prison that [redacted], while in solitary confinement, had been assaulted by Correctional Officers. No unusual activity was noted throughout the night.

MANCUSI advised that at approximately 9:00 AM, September 9, 1971, inmates of the Attica Correctional Facility began rioting and attempted to gain full control of the prison. At the outbreak of the riot the assistance of New York State Police was called for and, upon arrival of the first detachment of New York State Troopers, "A", "C", and "E" cell blocks of the prison were subsequently secured by Correctional Facility Officers and the New York State Troopers. At this point inmates, subsequently determined to be in excess of 1200, were in complete control of cell blocks "B" and "D" and further attempts by the New York State Troopers and Correctional Facility Officers to gain control of cell blocks "B" and "D" were halted, awaiting the arrival of RUSSELL G. OSWALD, New York State Corrections Commissioner.

DECLASSIFIED BY SP-1 CLK/fmw
ON 2-7-82

~~CONFIDENTIAL~~

GROUP 1
Excluded ENCLOSURE
downgrading and
declassification

157-23105-1
44-50605-64

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RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

~~CONFIDENTIAL~~

MANCUSI further advised that during the process of attempting to control the outbreak, four prison guards were stripped and badly beaten one of whom was later identified as Officer WILLIAM QUINN who succumbed to injuries on September 11, 1971 and three other guards were injured. It was later determined that 39 hostages were being held by the inmates, including 11 civilian employees and 28 guards.

In addition to the above MANCUSI advised that 11 additional hostages had been released and were hospitalized two of whom, including Officer QUINN, were in serious condition.

MANCUSI advised that the facility inmate population, in excess of 2200, consists of 55 per cent black and 45 per cent white and that those inmates in the riot area, who were in excess of 1200, consisted of 80 per cent blacks and 20 per cent whites.

N.Y. ✓ MANCUSI identified the leaders of the riot as [redacted] all blacks, and [redacted] a white man. He indicated that the rioters at this time had in their possession two gas guns and 12 gas projectiles. They also had in their possession 24 canisters of tear gas and during initial stages of the riot they used approximately one half of that number.

MANCUSI advised that the gas guns, projectiles, and canisters were obtained by the inmates from storage points which were strategically located throughout the prison compound.

MANCUSI continued that after having talked with the rioters, State Corrections Commissioner RUSSELL G. OSWALD and [redacted] decided to make no attempt to move forcibly against the rioters during the evening of September 9, 1971. He indicated that a decision to move against the rioters was delayed to insure the safety of the hostages

~~CONFIDENTIAL~~

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL FACILITY,
ATTICA, NEW YORK

~~CONFIDENTIAL~~

MANCUSI continued that subsequently the rioters selected inmate [redacted] as their spokesman and that [redacted] New York [redacted]

[redacted] State University of New York at Buffalo (SUNYAB) Law School, met with state officials. In an agreement drawn up by [redacted] the rioters demanded that a Federal Court order be obtained from United States District Court Judge JOHN T. CURTIN of Buffalo, New York and witnessed by RUSSELL G. OSWALD and Governor NELSON A. ROCKEFELLER insuring that no administrative reprisal or brutality be administered against any inmate who had participated in the riot.

The inmates further demanded that three men be selected from a list of Black, white, and Puerto Rican leaders who are to insure that there are no reprisals. The inmates advised that in return for the above, the rioters would free the hostages.

MANCUSI stated that Commissioner OSWALD had already filed this agreement and that Judge CURTIN and Governor ROCKEFELLER have agreed to also sign this document. MANCUSI stated that [redacted] was flying to Manchester, Vermont immediately for Judge CURTIN's signature and then to Albany, New York for Governor ROCKEFELLER's signature.

On September 9, 1971, New York State Commissioner of Correctional Services RUSSELL G. OSWALD advised that a preliminary estimate of the damage done to the Attica Correctional Facility was placed at two million dollars in property damage resulting from the burning of the prison school, chapel, carpenter shop, metal working shop and other prison facilities.

As of 7:00 PM, September 9, 1971, OSWALD advised that he had related the following prisoner demands to Governor ROCKEFELLER:

(1) Complete amnesty for prisoners involved in the riot.

~~CONFIDENTIAL~~

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

~~CONFIDENTIAL~~

(2) Black Panther Party leader HUEY NEWTON and leader of Nation of Islam (NOI) group in New York City, be flown in and address prisoners.

The Black Panther Party (BPP) is a black extremist organization started in Oakland, California, in December, 1966. It advocates the use of guns and guerrilla tactics to bring about the overthrow of the United States Government.

The Nation of Islam is an all-black nationwide organization headquartered at Muhammad's Temple 2, 5335 South Greenwood Avenue, Chicago, Illinois, under the guidance of [redacted] self-styled "Messenger of Allah" and only divinely appointed leader of the black race in the United States. Its purpose is separation of the black man from the devil (white race) through establishment of a black nation.

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(3) All black prisoners be flown to nonimperialistic country.

OSWALD advised that the prisoners have indicated that unless all of the above demands are met they have threatened to kill all hostages. OSWALD stated that he had personally indicated to the prisoners that he could grant only administrative amnesty in connection with their first demand mentioned above and that legal amnesty would have to be granted by the Governor of New York State. He also indicated to the prisoners that their other demands were unrealistic at this time.

On September 10, 1971, a confidential source who has furnished reliable information in the past learned that

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N.Y.
an individual identifying [redacted]
of New York State Assemblyman ARTHUR EVE, had contacted the
BPP National Headquarters in Oakland, California attempting
to contact HUEY NEWTON.

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This confidential source also advised that an
individual identifying [redacted]

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[redacted] BPP National Headquarters
indicating that [redacted] NEWTON
[redacted] Attica State Prison.

On September 10, 1971, United States District Court
Judge JOHN T. CURTIN, Western District of New York at Buffalo,
New York, issued a court order directed to Governor ROCKEFELLER,
Commissioner OSWALD and Superintendent MANCUSI, ordering them
not to take administrative action against prisoners involved
in the disturbances at Attica, New York on September 9, 1971.
This order was issued with the consent of the defendants.

OSWALD advised that the inmates have demanded a
committee of three persons be appointed to protect them from
administrative reprisals and that this committee be chosen
from the following individuals and/or organizations:

- (1) WILLIAM KUNSTLER, nationally known attorney
- (2) New York State Assemblyman ARTHUR O. EVE,
Buffalo, New York
- (3) CLARENCE JONES, publisher of the "Amsterdam
News", New York City
- (4) [redacted] "New York Times"
- (5) [redacted] Buffalo, New York
"Courier Express"

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- (6) [REDACTED] b6
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- (7) [REDACTED] "Michigan Chronicle,"
a weekly black newspaper published in Detroit,
Michigan
- (8) [REDACTED] Muhammad's Mosque
of New York City, associated with the NOI
publication "Muhammad Speaks".
- (9) BLONEVA BOND, publically identified as Chairman
of Board of Niagara Community Program, Inc.
Niagara Falls, New York
- (10) BPP
- (11) Fortune Society
- (12) Prisoners Solidarity Committee
- (13) "PALANTE," official publication of Young Lords
Party in New York City

The Young Lords Party (YLP) headquar-
tered in New York City, according to its 13
Point Program and Platform, is a revolutionary
political party fighting for the liberation
of all oppressed people seeking self-deter-
mination for Puerto Ricans' liberation and
who believe armed self-defense and armed
struggle are the only means to liberation.

On September 10, 1971, OSWALD advised that he had
attempted to negotiate the demands of the inmates with the

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inmates and that he was accompanied by nine other representatives including New York State Assemblyman ARTHUR EVE; New York State Assemblyman JAMES EMORY; three observers representing the administration, including the [redacted] associated with the Rochester, New York Civil Rights organization known as "FIGHT"; the [redacted] associated with the Rochester, New York Council of Churches and the "FIGHT" organization of Rochester, New York and [redacted] New York City Attorney; and four other representatives of the news media.

On September 10, 1971, [redacted] New York State [redacted] of Correctional Services, advised that a midday negotiation session by administration officials and prison inmates continue to demand no prosecution for their actions and complained that no persons requested by them had been brought to the prison. He stated the inmates have vilified Commissioner OSWALD and are accusing him of duplicity. [redacted] advised that Attorney [redacted] has characterized the inmates as lacking in real leadership.

At 3:30 PM, September 10, 1971, Commissioner OSWALD issued a statement indicating that he had requested the following persons to come to Attica, New York to join other citizens and public figures who already have been of assistance to him in communications with the prisoners to insure that the prisoners would be given fair treatment:

- (1) United States Representative HERMAN BADILLO, 21st Congressional District, New York, New York
- (2) New York State Senator ROBERT GARCIA, New York, New York
- (3) CLARENCE JONES, publisher, "Amsterdam News"
- (4) [redacted]
School District Number 3, New York, New York

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(5)

[redacted]
the Caanin Baptist Church of Christ, New
York, New York, [redacted]
Governor ROCKEFELLER for Urban Affairs

At 4:30 PM, September 10, 1971, Commissioner
OSWALD advised that all of the above persons were at the
prison and conferring with himself and New York State
Assemblymen EVE and EMORY.

On September 11, 1971, [redacted] advised that the
team of observers previously identified had re-entered the
prison yard at 11:35 PM September 10, 1971 to confer with
the rioting inmates accompanied by WILLIAM KUNSTLER. At
12:45 AM, September 11, 1971 the team of observers was
joined by [redacted] from Detroit, Michigan;
[redacted] "Michigan Chronicle" [redacted]
[redacted] Young Lords, New York City and [redacted]
[redacted], Buffalo, New York.

[redacted] continued that all of the observers with
the exception of [redacted] left the
prison yard at 4:25 AM, September 11, 1971, after conferring
with the rioting inmates. [redacted] stated that while in the
prison yard WILLIAM KUNSTLER had agreed to represent all of
the rioting inmates as their attorney.

At 5:30 AM, September 11, 1971, [redacted]
[redacted] were persuaded by other members of the
observer team to leave the prison yard.

[redacted] indicated that New York State
Senator JOHN DUNNE, Chairman of the New York State Senate
Committee on Penal Institutions, who had joined the observer
team on September 10, 1971, advised that while in the prison
yard [redacted] during a highly emotional and inflammatory
speech to the rioting inmates made the statement that all
white men should be killed.

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[] stated that the observation team left the Attica Correctional Facility at 7:30 AM, September 11, 1971 agreeing to return by 12:00 noon at which time they had agreed to pick a five man team from the group of observers to meet with a five man team for the rioting inmates in order to continue the negotiations.

[] advised that the rioting inmates are continuing in their demand for criminal amnesty which has been repeatedly refused.

On September 11, 1971, BOBBY SEALE of the BPP arrived at the Buffalo International Airport at 4:58 PM where he was met by various segments of the news media, including television, and commenced to hold a press conference. SEALE did not offer any comments to the press other than to read from a prepared typewritten statement captioned "Press Release September 11, 1971, Black Panther Intercommunal News Service - From the Central Committee of the Black Panther Party." The press release reads as follows:

"The Central Headquarters of the Black Panther Party was contacted September 10, 1971 by the office of New York State Assemblyman Arthur Eve, which delivered a message from 1,280 of our brothers who are political prisoners at the Attica State Prison, at Attica, New York. The message from the political prisoners is that Huey P. Newton, of the Black Panther Party, servant of the people, must, in fact, be a key negotiator in behalf of our incarcerated brothers and their twenty seven demands for better prison conditions.

"The said prison guards, called 'hostages', have actually in reality been placed under arrest by the 1280 prisoners, who are rightfully redressing their grievances concerning their harassing, brutal and inhuman treatment to which they are constantly subjected.

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"The New York State Prison Commission, the courts, and the Federal and State Governments Prosecutors have deliberately allowed the creation and maintenance of the oppressive and atrocious conditions to which our Attica Prison brothers are subjected. Also, the state for top many years willfully and maliciously ignored the legal and lawful requests of grievances from the prisoners.

"Some 35 prison guards are under arrest; and the state wants those arrested guards to be bailed out, on the promise of the courts and prison commission that there will be no reprisals if the arrested guards are released.

"The U.S. District Court order, however, that there will be no reprisals, is quite fallacious and irrelevant in its face, when the State Commissioner Russell Oswald, adds that our prison brothers will face 'other' criminal charges. To face more criminal charges means, in fact, nothing else other than outright reprisals against our incarcerated brothers. The state, the Commissioner (Russell G. Oswald), the courts and prosecutors are acting in extreme bad faith by not going forth and obtaining an official New York State and court-ordered amnesty: amnesty that there will be no reprisal whatsoever in the form of criminal charges or otherwise. This is the first thing that must be done to start negotiations of the prisoners twenty seven demands. This is the only bail the arrested guards have, from the analysis of the Black Panther Party.

"The Attica Prison move composed of political prisoners and the lives of thirty five arrested police guards in the hands of the prisoners, is a tactical

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"move towards going forward to show the world
community people how to begin to end oppression
and wretched, unjust prison incarceration.

"Signed

"Central Committee Black Panther Party"

On September 11, 1971, Captain [redacted]
Bureau of Criminal Investigations (BCI), New York State Police
advised that BOBBY SEALE terminated his press conference
at the Buffalo International Airport at 5:12 PM and that
SEALE, accompanied by his two personal aides, immediately
departed the airport in a privately owned automobile
apparently enroute to Attica Prison.

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[redacted] advised that upon the arrival of
BOBBY SEALE at the Attica Prison he was refused admittance
by prison authorities on the grounds that the area was too
crowded by numerous negotiators already inside. [redacted]
advised that the prison officials privately expressed concern
that SEALE might attempt to incite the prisoners to further
riotous actions if admittance was granted to him. [redacted]
advised that after initially being refused admittance BOBBY
SEALE was subsequently permitted to enter the Attica Correc-
tional Facility and to talk to the rioting inmates for
several minutes, after which he immediately departed. [redacted]
advised that [redacted] returned to the prison on September 12,
1971 but talked only to administration representatives.

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Captain [redacted] New York State Police,
advised that SEALE departed the Buffalo, New York area
for San Francisco, California thereafter.

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[redacted] also advised that the inmates are presently
holding 38 hostages, one hostage having been released earlier
on September 11, 1971 after suffering a slight heart attack.
[redacted] also advised that the hospital authorities in

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Rochester, New York have advised and also reported to the news media that prison guard WILLIAM QUINN seriously injured during the first day of the riot, September 9, 1971 has succumbed to head injuries suffered in the riot.

[] advised that negotiations to release the hostages remain unproductive since prison authorities will not grant immunity from criminal prosecution nor remove Superintendent VINCENT MANCUSI. As of 10:00 PM September 11, 1971, negotiations with the inmates are continuing and that they now have requested the personal appearance of Governor NELSON A. ROCKEFELLER at the Attica Correctional Facility. [] advised that no commitment has been made by the Governor or any member of his staff.

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On September 12, 1971, [] advised that at approximately 1:30 PM this date the rioting inmates were told by Commissioner OSWALD that a deadline of 3:00 PM had been set at which time if negotiations were not successful the New York State Police would move in force in order to regain control of Attica Correctional Facility. This deadline was subsequently moved forward to 3:30 PM when the following members of the negotiating committee began meeting with the inmates at 3:00 PM:

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- (1) CLARENCE JONES
- (2) WILLIAM KUNSTLER

(3)



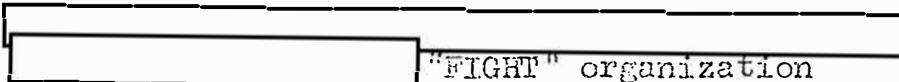
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- (4) ARTHUR EVE

(5)



(6)



"FIGHT" organization
of Rochester, New York

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[REDACTED]

During this period of the negotiations Commissioner OSWALD's deadline was again moved forward until 4:00 PM and subsequently until 6:00 PM. [REDACTED] advised that at 6:00 PM the negotiations were discontinued and the negotiating committee returned to caucus area located in the Administrative Building of the Attica Correctional Facility. [REDACTED] continued that no move of force would be made at this time because of the lack of sufficient daylight deemed necessary by the New York State Police to effect the successful operation.

[REDACTED] advised that while negotiations were taking place between the hours of 3:00 PM and 6:00 PM the following persons were added to the negotiating team and admitted to the prison area at the specific request of the inmates. He identified these individuals as follows:

- (1) [REDACTED] New York
"Amsterdam News"
- (2) [REDACTED] New York
"Amsterdam News"
- (3) [REDACTED] New York
"Daily News"
- (4) [REDACTED]
WGR-TV news, Buffalo, New York

[REDACTED] advised as of 9:00 PM, September 12, 1971, negotiations remained deadlocked and that members of the negotiating committee were continuing to caucus. He indicated the inmates have stated they are unwilling to meet with Commissioner OSWALD or any of his representatives on neutral ground and that they are continuing to demand full amnesty from all criminal charges. The inmates are also requesting the presence of Governor ROCKEFELLER at the Attica Correctional Facility but as of the minute no commitment has been received from the Governor or any member of his staff.

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Commissioner OSWALD advised on September 13, 1971 at 6:00 AM that a decision had been made by Correction Officials to "take" the prison and free the hostages at 9:00 AM today. Commissioner OSWALD further advised that an Army Reserve Unit was encamped near Attica, New York area who will act as back-up force in the event assistance was needed by the New York State Police in their efforts to overtake the hostile inmates.

Deputy Commissioner [redacted] advised that at 7:45 AM, September 13, 1971, he delivered the following statement to the inmates of the Attica Correctional Facility: on behalf of New York State Commissioner of Correctional Service, RUSSELL G. OSWALD:

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"For four days I have been using every resource available to me to settle peacefully the tragic situation here at Attica.

"We have met with you; we have granted your requests for food, clothing bedding and water; for medical aid; for a Federal Court Order against administrative reprisals. We have worked with the special Citizen Committee which you requested. We have acceded to 28 major demands which you have made and which the Citizen Committee has recommended. In spite of these efforts you continue to hold hostages.

"I am anxious to achieve a peaceful resolution of the situation which now prevails here.

"I urgently request you to seriously consider my earlier appeal that:

- (1) All hostages be released immediately unharmed; and

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"(2) You join with me in restoring order
to the facility.

"I must have your reply to this urgent appeal
within the hour.

"I hope and pray your answer will be affirmative.

"Signed by Russell G. Oswald
New York State Commissioner
of Correctional Services"

[] advised the inmates had requested additional
time which was granted but that since the extension was granted
no additional response had been received from the inmates.

[] advised that information received by Commissioner OSWALD
from New York State Troopers observing the prison compound
area indicated that the prison inmates were placing the hostages
under very tight guard and that weapons were being held at
the hostages' throats. [] added that Commissioner OSWALD
and other representatives of the Correctional Facility
interpreted these actions as a negative response on the part
of the inmates.

Commissioner OSWALD advised that at 9:46 AM,
September 13, 1971, he instructed the New York State Police
to commence assault on cell blocks "B" and "D" in an effort
to retake these areas and to bring them under the full control
and security of the Attica Correctional Facility. OSWALD
advised that the initial assault was conducted by the New
York State Police and that they received back-up assistance
from a unit of the New York State National Guard and from
Sheriff's Deputies representing approximately 14 counties of
the Western New York area.

Following the assault on Attica Correctional
Facility a second confidential source who has furnished
reliable information in the past advised on September 13, 1971

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that law enforcement officers had secured control of the Attica Correctional Facility including cell blocks "B" and "D" formerly held by prison inmates and that those inmates who participated in the riotous action were currently being stripped and searched and also a thorough search of the Attica Facility for contraband was presently being initiated.

This source further advised that the assaulting force had consisted of 600 New York State Troopers, assisted by an estimate of 300 to 400 New York State Deputy Sheriffs representing approximately 14 counties of the Western New York area and approximately 400 New York State National Guardsmen.

[redacted] Attica Correctional Facility, advised on September 14, 1971 that as of 9:30 AM this date initial figures indicated that 38 persons were dead including 28 inmates and 10 employees of the Facility. [redacted] advised that the figure of 10 representing the employees of the Facility included the death of Correctional Officer WILLIAM QUINN who had previously succumbed to injuries on September 11, 1971. At this time [redacted] advised that in addition to the above figures three of the hostages who were rescued were in critical condition as were several of the inmates.

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On September 14, 1971, arguments were heard by United States District Court Judge JOHN T. CURTIN, Western District of New York at Buffalo, New York on a motion by [redacted] SUNYAB Law School, [redacted] representing the Attica inmates for a court order which would permit [redacted] admittance to Attica Prison. In his argument [redacted] alleges that word has filtered out of the prison indicating that prison guards are taking physical reprisals against the prisoners and that information from a Buffalo hospital doctor, who has been working in the prison, indicates medical attention is inadequate. [redacted] also argued that as late as 9:40 AM, September 14, 1971, he had been denied entrance into the prison.

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During these arguments, a New York State Correctional Facility representative arguing against the motion, stated that the prison was not secure and that it would be unadvisable for attorneys to be wandering on prison grounds. This representative gave assurance that access would be given to the attorneys when the prison was secured.

On September 14, 1971, United States District Court Judge CURTIN denied motion for court order permitting attorneys to enter Attica Correctional Facility.

On September 14, 1971, [redacted] Attica Correctional Facility, advised that a head count of the inmates at the Attica Correctional Facility as of 6:00 AM, September 14, 1971, showed that one inmate was missing. [redacted] advised that at 12:50 PM, September 14, 1971, the body of the missing inmate, which he described as being dead two or three days was found in cell block "D" and that the cause of his death was as yet undetermined. [redacted] advised that as of 5:30 PM, September 14, 1971, the figures representing the total number dead at the Attica Correctional Facility is now 39, including 29 inmates and 10 hostages.

[redacted] advised that the New York State Correctional Officials have obtained the services of 36 physicians and four X-Ray technicians from the Rochester, New York area to examine the entire 1200 inmates involved in the riotous action and eventually the remainder of the inmates of the Attica Facility.

[redacted] stated that a continuing search of the Attica Facility is underway in an effort to locate contraband weapons and explosives. He advised that to date no explosives have been located although reports have come to his attention from the New York State Police indicating that one acetylene tank was located with an electric clock device hooked up to it.

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On September 14, 1971, Captain [redacted] BCI, New York State Police, advised that the bodies of eight hostages taken from the prison compound area on September 13, 1971 were removed from the Attica Correctional Facility during the night of September 13-14, 1971 to the Strong Memorial Hospital in Rochester, New York where autopsies were to be performed. Captain [redacted] advised that the first knowledge that he had indicating that the hostages were allegedly shot was from commercial radio broadcasts where such information was attributed to the medical examiners office in Rochester, New York. [redacted] advised that immediately upon hearing this information he dispatched a New York State pathologist and two BCI investigators to the Monroe County Medical Examiners Office in Rochester, New York to check out this information. At this time, [redacted] also advised that two of the hostages who were rescued alive have throat cuts and that one had been castrated.

At 10:30 PM on September 14, 1971, New York State Correctional Commissioner RUSSELL G. OSWALD issued the following prepared statement to members of the newsmedia at the Attica Correctional Facility:

"This is a report on our action at this institution. We would like to explain to you what apparently has been a misstatement of facts, the origin of which facts were given to the press. The two statements at variance, initially suggested that all hostages died as a result of cut throats. The second statement suggested that the death of all hostages resulted from gunshot wounds.

"The true facts - now verified. A physical inspection of the deceased bodies show--slash marks on throats and backs of necks; puncture wounds; apparent broken arms; blackened eyes; broken face; abrasions on nearly every hostage; some hostages only with gunshot wounds. Albeit, the Forensic Pathologist who did the examinations reported that the cause of death in each instance was gunshot

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"wound. We thought you should, however, have this additional information.

"The first question we must answer is why the exact cause of death was not known until this late hour. The second question that must be resolved is how any of these hostages could have died by gunshot.

"In response to the first question on the lateness of the actual cause of death, there are a number of factors that could have contributed to the erroneous report of slashed throats:

"1. For 4 days preceding the restoration of law and order, the inmates had threatened on numerous occasions that they would kill all hostages the instant that any force by authorities was applied. This was told to me personally by inmates on several occasions.

"2. Several Correction Officers and other individuals who viewed this action positively stated that they had seen hostages drop as their throats were apparently cut.

"3. In the confusion that existed during the evacuation of casualties, various individuals who were assisting in the evacuation and who were not qualified to identify whether the evacuee was a hostage or inmate, reported that a number of those evacuated did have slashed throats.

"This fact has been verified since there are two hostages now in the hospital known to have lacerated throats.

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"And finally, at the instant of the move to regain the total facility, several eye witnesses verified that hostages were being held at what appeared to be knife point at so-called Times Square within the prison compound.

"Facts now available show that the deceased were moved successively to two morgues and are now at the mortuaries of next of kin.

"In summary, it was possible from all of these reports, rumors, and facts, for some unauthorized report to be made to the effect that all hostages had died of slashed throats. You know that I never told you this.

"The second question to be answered, "How could any have died of gunshot wounds?" There are several answers to this question: The most important and obvious answer is the fact that the inmates had dressed all hostages in prison garb to insure difficulty of identification between inmate and hostage.

"Additionally, hostages could very well have been used as shields or forced forward into gun fire to suggest that they were not hostages and could have been mistaken for such because of their prison garb. The pathologist told us that all of those he examined had their feet and hands bound.

"Here are some facts of interest that bear out our concern and have a distinct bearing on our actions.

"Approximately 400 homemade weapons were recovered in the prison area directly after the action to recover the prison. Today, additional hundreds of weapons were uncovered. They consisted of such items as dozens of:

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"Molotov Cocktails, shears, spears, table knives, steel and metal pipes with taped handles, clubs, 2 tear gas guns, projectiles for the guns, swords well made from flat steel with handles, wire bolos, some with razor blade attached, 1/2 dozen straight razors and baseball bats with extended spikes.

"Mine sweepers are now being used to uncover other weapons.

"To illustrate the problem of emotional pressure and tension, a press interview with a hostage reportedly said that 8 hostages had their throats slit. His statement was reported in an article printed this morning, September 14.

"I can attest to the tremendous emotional tension hostages are still under. I talked with one today. I was not a hostage and I feel the tension and am thinking less clearly than I did six days ago.

"What is clearly known and what has been verified by freed hostages, state police and helicopter crews who viewed the scene, is that every one of the 38 hostages was held with a knife at the throat, a crowbar at his neck, or other weapon, awaiting to be killed.

"It has now been reported that each hostage had been assigned at least one executioner. The rescue operation saved 29 of these 38 men.

"Today at the Institution the primary objective was to see that every inmate was examined by a qualified medical doctor, and, any individual in need of medical treatment has received this treatment.

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"We looked for potentially serious cases that could be sent to our Institutional Hospital. In addition, at the Institutional Hospital numerous operations were performed. Furthermore, some inmates were very seriously injured and medical procedures required for their ailments were not available at this Institution. Therefore, they were sent by ambulance to the Edward J. Meyer Memorial Hospital in Buffalo, New York. This intensive medical program by which we examined all prisoners was made possible through the cooperation of the State Department of Health and the various hospitals in the cities of Rochester, Buffalo, Batavia and Warsaw. There were between 40 and 50 doctors brought in, in addition to the medical staff which was already here to conduct these examinations. In addition, there were 21 nurses assisting. A medical team came from as far as Elmira, N. Y. to aid.

"Clothing and shoes which were scattered about the yard in the Institution were collected and routed to be laundered so that these badly needed items could be reclaimed.

"A preliminary assessment of damaged areas was made today by the Department's Chief of Engineering in preparation for a thorough inspection beginning tomorrow morning by a team of engineers and architects from Albany. At this time it appears that on a priority order, the effort should be to repair housing D and B blocks, which would provide about 1,000 usable cells which are needed. Gates and locks will need inspection and repair to assure security. Critical areas include the laundry, shower facilities and the barber shop. In addition, the auditorium and chapel will need inspection as to safety and roof repair and maintenance shops, store house, and warehousing areas will need refurbishing. Assessments will be made also of buildings

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"which contain program areas such as vocational training and school and classroom space, but these will have to receive secondary priority in terms of refurbishing or replacement.

"Fortunately, two major cell blocks, A and C, are operational and mess hall and kitchen areas and cold storage areas are fully operational. It is unfortunate, however, that A block, designed for 481, is being used to house the 1,241 inmates who were involved in the disturbance. This means that most are being housed three to a cell. It has always been the New York Prison system's good fortune that there were sufficient cells so that each man could have his own cell. Three or two to a cell is highly undesirable and being used on an emergency basis. Immediate steps are being taken to develop drafts of men, 40 at a time, for transfer to other facilities of the department. Roughly 150 inmates were transferred today, divided between the Clinton Correctional Facility at Dannemora and the Great Meadow Facility at Comstock.

"Another inmates body was found today in a mop room area in one of the buildings and he had evidently died of multiple stabbing and beating wounds which could only have occurred at the hands of the inmates who were in the D block area during the disturbance.

"I think you should know about an inmate we found yesterday which has not previously been reported to the press. This inmate was found buried in a trench which the inmates dug near a sidewalk. When found he was completely stiff.

"Gentlemen: This is a factual post-operation report.

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"Members of the Press: Every one of you has reason to be proud of your Correction Officers, the State Police, the National Guard, and the members of this community who assisted during this tragic affair. Thank you for waiting, and please know how deeply I appreciate your kindness and understanding."

On September 15, 1971, Superintendent MANCUSI of the Attica Correctional Facility, advised that he had been notified from a Buffalo, New York hospital that one additional Attica inmate had died today in Buffalo, New York from the wounds received during the assault on the Attica Correctional Facility, September 13, 1971. Superintendent MANCUSI advised that the total dead has now been placed at 30 inmates and 10 employees.

On September 15, 1971, [redacted] advised that a team of medical doctors retained by New York State Correctional System from the Rochester and Buffalo, New York areas have completed examination of the approximately 1200 inmates who were involved in the riotous action and that four of these inmates were found to require hospitalization for injuries received.

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An article appearing in the September 15, 1971 edition of the Buffalo "Courier Express", a local Buffalo, New York daily newspaper, reported that Governor NELSON A. ROCKEFELLER has selected Judge HARRY D. GOLDMAN of Rochester, New York to appoint a five man nonpartisan panel to safeguard the Constitutional rights of the prisoners at the Attica Correctional Facility.

GOLDMAN stated Governor ROCKEFELLER expressed concern that "The public should feel the Constitutional rights of the prisoners - notwithstanding what has happened - should be completely safeguarded." According to GOLDMAN, Governor ROCKEFELLER is genuinely concerned there will be objective fact-finding concerning the Attica situation and wants to insure the recommendations of Commissioner RUSSELL G. OSWALD are carried out wherever possible. GOLDMAN identified

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NEW YORK STATE
CORRECTIONAL FACILITY,
ATTICA, NEW YORK

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these recommendations as the 28 prisoner demands OSWALD held were justified.

GOLDMAN will name persons from principle ethnic groups (Black and Puerto Rican) involved in the Attica uprising as well as personnel expert in Correction Facility procedure and prison reform.

GOLDMAN defined himself politically as a Liberal and very much interested in Civil Rights.

This article identifies GOLDMAN, age 67, as Presiding Justice, Appellate Division, New York State Supreme Court, Fourth Department. He was elected to New York State Supreme Court in 1956 and appointed to Appellate Division in 1957.

On September 15, 1971, [redacted] New York State Department of Corrections advised that Governor ROCKEFELLER's Office has just released a statement on behalf of Commissioner OSWALD disclosing that investigation of the riotous action at Attica, New York has passed into the control of New York State Deputy Attorney General ROBERT M. FISCHER. [redacted] advised that Commissioner OSWALD must pursue his duties in connection with all Correctional Facilities in the State of New York. [redacted] described FISCHER as Deputy Attorney General in Charge of New York State Organized Crime Task Force.

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On September 15, 1971, Deputy Commissioner of Corrections [redacted] advised that he had been informed that CLAUDE PEPPER, Chairman of the United States House of Representatives Select Committee on Crime and three accompanying Congressmen will meet with New York State Governor ROCKEFELLER in New York City on September 17, 1971, after which they will travel to Attica, New York to make inquiries and observations concerning the Attica rioters. [redacted] advised that the identities of the other three Congressmen are unknown to him but that two are from New York State and one is from Arizona.

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A copyright article appearing in the September 16, 1971 Sunrise edition of the "Democrat and Chronicle", a daily Rochester, New York newspaper, contained the results of an interview with DAVE ANDERSON, Director of the School-Parent Advisors to the Neighborhood (SPAN) and further described as a Rochester, New York Black leader and a member of the negotiating committee at the Attica Correctional Facility. In this article ANDERSON is quoted as saying that WILLIAM KUNSTLER, the Civil Rights lawyer, turned negotiations with Attica prisoners from near agreement to an impossible demand for amnesty. The article states that DAVID ANDERSON spent 17 hours inside Attica Prison last Friday as a prisoner-invited member of the negotiation team. ANDERSON was further quoted in the article as stating "KUNSTLER came in there and began to take off on some things that were very touchy in our minds with the prisoners. KUNSTLER heightened their expectations about getting amnesty. It picked up and put the inmate leadership we had been dealing with before he came in a precarious position, and the leadership began to spread out." The article further stated that ANDERSON said the committee of 29 chastized KUNSTLER for stressing the amnesty and inflaming the tones of negotiations. The article further stated that KUNSTLER said early today, (September 16, 1971) from his Westchester County, New York home that ANDERSON's statements were untrue, that the prisoner's demands were their own, and nobody told them what to do or what not to do. KUNSTLER further said that ANDERSON could not know the truth because he was not there Saturday, Sunday, or Monday (September 11, 12, 13, 1971).

According to an article appearing in the September 16, 1971 edition of the "Buffalo Evening News," a local Buffalo, New York newspaper, it was indicated that local Buffalo attorneys have renewed their motion for a court order to permit their entry into the Attica Prison before United State District Court Judge JOHN T. CURTIN, Western District of New York at Buffalo, New York.

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ATTICA, NEW YORK

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E. APPEAL 1941 *N. 4.*
The article continues that JOHN T. WATKINS, age 24, a second year law student at SUNYAB, is identified in the article as a witness. WATKINS indicated that he was a member of the New York State National Guard Unit which entered the Attica Facility at about 10:30 AM, September 13, 1971. He reported subsequently observing a number of inmates clubbed and beaten by guards while authorities were gaining control of the Facility.

In reply to this motion, a New York State Assistant Attorney General told the court that attorneys of the inmates would be admitted to the Attica Facility between 9:30 AM and 3:00 PM beginning September 17, 1971.

Judge CURTIN reserved a decision in this matter and ordered New York State Correctional authorities to insure that such beatings as described by WATKINS did not occur.

According to an article which appeared in the September 17, 1971 edition of the "Courier Express" ROBERT E. FISCHER, a New York State Special Assistant Attorney General, stated on September 16, 1971 that he will not "allow any witnesses at this point to describe anything in detail or reach any conclusions."

An article appearing in the September 16, 1971 edition of the "Buffalo Evening News" reported that Governor ROCKEFELLER has moved to consolidate the separate investigations into the riot and that his Office stressed that ROBERT E. FISCHER, Assistant Attorney General, was in charge of all criminal aspects of the probe.

An article appearing in the September 17, 1971 edition of the "Buffalo Evening News" reported that Governor ROCKEFELLER and State Legislature leaders announced that an impartial citizens committee would be named to investigate the Attica riot. According to this article the members

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ATTICA, NEW YORK

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are to be selected by the Chief Judge and members of the State Court of Appeals.

Another article appearing in the September 17, 1971 edition of the "Buffalo Evening News" reported that four separate groups are currently involved in the Attica Prison situation. This article identified the four separate groups as follows:

- (1) A five member panel appointed by Justice HARRY GOLDMAN of the Appellate Court, Rochester, New York to protect the prisoners rights and implement prison reform.
- (2) United States Congressman CLAUDE PEPPER of Florida and members of a Congressional Subcommittee.
- (3) Investigation of criminal aspects by Special Assistant Attorney General ROBERT E. FISCHER.
- (4) The Citizens Committee announced today by New York State Governor ROCKEFELLER.

On September 12, 1971, Deputy Commissioner [redacted] made available the following list of names and addresses of individuals who at various times during the period of September 9 through September 12, 1971 were participating in the negotiations with the inmates of the Attica Correctional Facility:

- (1)
- (2)

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ATTICA, NEW YORK

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- (3) [redacted] WGR-TV News, 184 Barton
Street, Buffalo, New York
- (4) [redacted]
New York 14201, Office of Minority Student
Affairs, 243 Hayes Hall, SUNYAB, [redacted]
[redacted]
- (5) [redacted] "FIGHT" organiza-
tion, Rochester, New York
- (6) JOHN R. DUNNE, New York State Senator,
109 Fifth Street, Garden City, New York,
telephone 747-7771
- (7) [redacted] "Amsterdam News", New York,
New York
- (8) JAMES EMORY, New York State Assemblyman
- (9) ARTHUR O. EVE, New York State Assemblyman
- (10) [redacted] NLADA (National Law Office)
1601 Connecticut Avenue NW, Washington, D.C.
[redacted]
- (11) [redacted]
[redacted] New York, [redacted]
[redacted]
- (12) [redacted] BUILD (Build, Unity, Inde-
pendence, Liberty and Dignity), 339 Genesee
Street, Buffalo, New York, [redacted]
[redacted]
- (13) ROBERT GARCIA, New York State Senator

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- (14) [redacted] "New York Daily News,"
New York, New York
- (15) [redacted] "Michigan Chronicle,"
Detroit, Michigan
- (16) CLARENCE B. JONES, Editor-Publisher, "Amsterdam
News," New York, New York
- (17) WILLIAM M. KUNSTLER, Center for Constitutional Rights,
588 Ninth Avenue, New York, New York 10036
- (18) [redacted]
[redacted] Universal Islamic Brotherhood
Order, care of 428 Wollers Street, Buffalo,
New York, telephone [redacted]
[redacted]
California
- (19) [redacted] ABC-TV
- (20) [redacted] Community Superintendent,
New York
- (21) [redacted] CBS-TV
- (22) [redacted] "Buffalo Evening News,"
Buffalo, New York
- (23) TOM MC GOWAN, New York State Senator
- (24) [redacted]
New York
- (25) [redacted] "United Press International"
Photo Service

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ATTICA, NEW YORK

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- (26) [redacted] New York, [redacted]
[redacted]
- (27) [redacted] New York [redacted]
[redacted] BUILD organiza-
tion. 339 Genesee Street, Buffalo, New York,
[redacted]
- (28) [redacted] Buffalo "Courier Express,"
Buffalo, New York
- (29) BOBBY SEALE, BPP, Oakland, California
- (30) [redacted] SUNYAB
- (31) [redacted] "RIGHT" organization,
Rochester, New York, [redacted]
- (32) [redacted] New
York
- (33) [redacted] New York,
New York, [redacted]
- (34) [redacted] NLADA (National Law Office)
[redacted] D.C.,
[redacted]
- (35) SIDNEY VON LUTHER, New York State Senator,
600 West 111th Street, New York, New York
- (36) [redacted] New York "Amsterdam News"
- (37) [redacted]

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ATTICA, NEW YORK

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(38) [redacted] "New York Times Washington Bureau",
1920 L Street NW, Washington, D. C.

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(39) [redacted] "Amsterdam News", New York,
New York

On September 15, 1971, Commissioner RUSSELL G. OSWALD made available a complete listing of all employees of the Attica Correctional Facility who were held hostage during the period September through September 13, 1971. This listing also included the status of the individuals as of September 15, 1971 as follows:

- (1) [redacted] - Warsaw Hospital
- (2) Sergeant EDWARD CUNNINGHAM, 16 Walnut Street, Attica, New York - deceased
- (3) Lieutenant [redacted] Attica - Warsaw Hospital
- (4) JOHN D'ARCANDELO, East Main Street, Batavia, New York - deceased
- (5) [redacted] Attica - home
- (6) ELMER HARDIE, 29 North Walnut Street, Attica (Industrial Foreman) - deceased
- (7) [redacted] Warsaw St. Jerome Hospital, Batavia, New York
- (8) [redacted] New York - home
- (9) H. JONES, 151 Market Street, Attica (Senior Accountant Clerk) - deceased

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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(14) RICHARD J. LEWIS, 3925 Pike Road, RFD No. 2,
Batavia - deceased

(15)

(16)

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(18)

(19) JOHN MONTELEONE, 583 McGrath Road, Attica
(Industrial Foreman) - deceased

(20)

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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(30) CARL VALONE, 6 Cons Street, Batavia, *N.Y.* deceased

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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(33)

(34)

(35) E. WERNER, 99 Main Street, Attica (Principle
Accountant Clerk) - deceased

(36) RONALD WERNER, 2870 Buffalo Street, Attica -
deceased

(37)

(38)

(39)

On September 15, 1971, Commissioner OSWALD also
made available a list of those employees of the Attica
Correctional Facility, who were injured during the initial
phase of the riot on September 9, 1971:

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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On September 23, 1971, Superintendent VINCENT MANCUSTI, Head of the Attica Correctional Facility, made available the following list of inmates whom he identified as having died as a result of the assault on the Attica Correctional Facility by the New York State Police on September 13, 1971:

- (1) WILLIAM ALLEN, date of birth April 15, 1950, inmate number 25390
- (2) ELLIOTT JAMES BARKLEY, date of birth March 1, 1950, inmate number 25861
- (3) JOHN BARNES, inmate number 24310;

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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- (4) BERNARD LAMAR DAVIS, inmate number 26691
- (5) ALLEN DURHAM, inmate number 23970
- (6) WILLIE E. FULLER, date of birth February 14, 1935, inmate number 17225
- (7) MELVILLE DUVAL GRAY, date of birth December 12, 1939, inmate number 25180
- (8) ROBERT FRANCIS JOSEPH HANIGAN, date of birth January 11, 1945, inmate number 20899
- (9) KENNETH E. WESS, date of birth May 11, 1949, inmate number 27013
- (10) THOMAS HICKS, date of birth May 21, 1941, inmate number 26398
- (11) EMANUEL JOHNSON, inmate number 25985
- (12) CHARLES LUNDY, date of birth August 26, 1941, inmate number 24450
- (13) KENNETH MALLORY, inmate number 23980
- (14) GIDDELL MARTIN, inmate number 26286
- (15) WILLIAM MC KINNEY, inmate number 27449
- (16) LORENZO MC NEIL, inmate number 22037
- (17) SAMUEL JOSEPH MELVILLE, date of birth October 14, 1935, inmate number 26124
- (18) MILTON MENYWEATHER, III, date of birth July 4, 1946, inmate number 26436

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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- (19) JOSE MONTIJO, inmate number 27354
 - (20) CARLOS JOSEPH PRESCOTT, inmate number 25222
 - (21) MICHAEL PRIVITERA, inmate number 23901
 - (22) RAYMOND RIVERA, inmate number 25933
 - (23) JAMES ROBINSON, date of birth July 9, 1946,
inmate number 26967
 - (24) SANTIAGO SANTOS, date of birth September 5,
1942, inmate number 25937
 - (25) BARRY JAMES SCHWARTZ, date of birth April 14,
1945, inmate number 24021
 - (26) HAROLD THOMAS, inmate number 27032
 - (27) RAFAEL VASQUEZ, date of birth October 30,
1940, inmate number 27292
 - (28) MELVIN WARE, date of birth December 16, 1940,
inmate number 25339
 - (29) WILLIE WEST, date of birth March 27, 1945,
inmate number 27099
 - (30) ALFRED L. WILLIAMS, date of birth June 15, 1941,
inmate number 26865

Effective 10:40 PM, September 13, 1971, United States District Court Judge JOHN T. CURTIN, Western District of New York at Buffalo, New York, issued the following temporary restraining order against RUSSELL G. OSWALD, Commissioner of Correction and VINCENT MANCUSI, Superintendent, Attica Correctional Facility, defendants in behalf of the inmates of the Attica Correctional Facility plaintiffs:

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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"UNITED STATES DISTRICT COURT
"WESTERN DISTRICT OF NEW YORK

"INMATES OF ATTICA CORRECTIONAL
"FACILITY

"Plaintiffs

"Temporary Restraining
"Order

"Against-

"COMMISSIONER OF CORRECTION RUSSELL G. OSWALD;
"VINCENT MANCUSI, SUPT.
"Attica Correctional Facility

"Doc. No.

"Defendants

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"Upon hearing and filing the annexed affidavit
of [redacted]
[redacted] attorneys for the plaintiffs, sworn
to the 13th day of September, 1971, and upon all
prior pleadings and proceedings heretofore had herein,
and after hearing oral argument by [redacted]
Esq., for the plaintiffs, a sufficient cause having
been shown, it is hereby temporarily

"ORDERED that respondent's, their agents,
employ-ees and servants and all other persons under
their supervision and control shall upon demand
permit and grant forthwith at any time the following
named per-sons, all of whom are duly admitted to
practice be-fore the courts of the State of New
York or are legal workers in law offices of such
attorneys and any other attorneys admitted to prac-
tice in N.Y., access to and be permitted to speak
to any and all persons who were inmates at Attica
prison at 9:45 A.M. on September 13, 1971, including

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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"any inmates who have been transferred to any other
prisons, hospitals or other institution ('Inmates')
The aforementioned attorneys and legal workers are
as follows:

[REDACTED]
[REDACTED]
"William Kunstler [REDACTED]
[REDACTED]

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CORRECTIONAL FACILITY
ATTICA, NEW YORK

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"and it is further

"ORDERED that no Inmate be interrogated in any way by respondents, their employees or agents or any other persons under the supervision or control of the respondents or any New York State or County legal enforcement officer having jurisdiction thereof until after such inmate has been counselled by an attorney, and then only in the presence of an attorney, and it is further

"ORDERED that respondents, their employees and agents and persons under their supervision and control permit forthwith upon request of counsel any physician residents or interns and examination any and all Inmates.

"ORDERED that the Police of the State of New York and any peace officer of any subdivision thereof shall permit immediate access, and shall not restrict said attorneys, legal workers, physicians and nurses on any public highway, street or road and in any institution, prison, jail, hospital or other place of confinement of inmates, upon demand of such attorney, legal worker physician or nurse that he or she seeks access as aforesaid to Inmates, and it is further

"ORDERED that service of a copy of this order upon the respondents, their agents, employees or persons under their supervision or control shall constitute good and sufficient service hereof, and it is further

"ORDERED that respondents by their attorneys show cause on the 14th day of September, 1971 at 10:30 AM at U.S.Cthse., Bflo. why this temporary restraining order should not be continued in effect.

"/s/ John T. Curtin

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ATTICA, NEW YORK

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"Dated: Buffalo, N.Y.

"Effective September 13, 1971, 10:40 P.M."

The September 13, 1971 Metro edition of the "Democrat and Chronicle" contained an article entitled "Text of the 28 Demands Granted to Attica Inmates." The article contains a list of the 28 demands or rioting inmates which was agreed to on September 12, 1971 by RUSSELL G. OSWALD, New York State Commissioner of Corrections. The article indicates that OSWALD issued the list, which he had signed, in an afternoon press conference. The listed demands were as follows:

- (1) Provide adequate food, water and shelter for all inmates
- (2) Inmates shall be permitted to return to their cells or to other suitable accommodations or shelter under their own power. The Observer Committee shall monitor the implementation of this operation
- (3) Grant complete administrative amnesty to all persons associated with this matter. By administrative amnesty, the State agrees:
 - (a) Not to take any adverse parole actions, administrative proceedings, physical punishment or other type of harassment such as holding inmates incommunicado, segregating any inmates, or keeping them in isolation or in 24-hour lock-up
 - (b) The State will grant legal amnesty in regard to all civil actions which could arise from this matter

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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- (c) It is agreed that the State of New York and all its departments, divisions, and subdivisions, including the State Department of Corrections and the Attica Correctional Facility, and its employees and agents shall not file or initiate any criminal complaint or act as complainant in any criminal of any kind or nature relating to property, property damage, or property-related crimes arising out of the incidents at the Attica Correctional Facility during September 9, 10, 11, 1971
- (d) The District Attorney of Wyoming County, New York has issued and signed the attached letter as of this date
- (4) Recommend the application of the New York State minimum wage law standards to all work done by inmates. Every effort will be made to make the records of payments available to inmates.
- (5) Establish by October 1, 1971, a permanent ombudsman service for the facility, staffed by appropriate persons from the neighboring communities.
- (6) Allow all New York State prisoners to be politically active, without intimidation or reprisal.
- (7) Allow true religious freedom
- (8) End all censorship of newspapers, magazines, and other publications from publishers, unless there is determined by qualified authority which includes the ombudsman that the literature

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CORRECTIONAL FACILITY
ATTICA, NEW YORK

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in question presents a clear and present danger to the safety and security of the institution. Institution spot censoring only of letters.

- (9) Allow all inmates, at their own expense, to communicate with anyone they please.
- (10) Institute realistic, effective rehabilitation programs for all inmates, according to their offense and personal needs
- (11) Modernize the inmate education system, including the establishment of a Latin library.
- (12) Provide an effective narcotics treatment program for all prisoners requesting such treatment
- (13) Provide or allow adequate legal assistance to all inmates requesting it or permit them to use inmate legal assistance of their choice in any proceeding whatsoever. In all such proceedings, inmates shall be entitled to appropriate due process of law
- (14) Reduce cell time, increase recreation time and provide better recreation facilities and equipment, hopefully by November 1, 1971
- (15) Provide a healthy diet; reduce the number of pork dishes; increase fresh fruit daily
- (16) Provide adequate medical treatment for every inmate; engage either a Spanish-speaking doctor or interpreters who will accompany Spanish-speaking inmates to medical interviews

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NEW YORK STATE
CORRECTIONAL FACILITY
ATTICA, NEW YORK

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- (17) Institute a program for the recruitment and employment of a significant number of black and Spanish-speaking officers.
- (18) Establish an inmate grievance commission comprised of one elected inmate from each company which is authorized to speak to the administration concerning grievances and develop other procedures for inmate participation in the operation and decision-making processes of the institution.
- (19) Investigate the alleged expropriation of inmate funds and the use of profits from the metal and other shops.
- (20) The State Commissioner of Correctional services will recommend that the penal law be changed to cease administrative resentencing of inmates returned for parole violation.
- (21) Recommend that Menenchino hearings be held promptly and fairly.
- (22) Recommend necessary legislation and more adequate funds to expand work release program.
- (23) End approved lists for correspondence and visitors.
- (24) Remove visitation screens as soon as possible.
- (25) Institute a 30 day maximum for segregation arising out of any one offense. Every effort should be geared toward restoring the individual to regular housing as soon as possible, consistent with safety regulations.

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CORRECTIONAL FACILITY
ATTICA, NEW YORK

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- (26) Paroled inmates shall not be charged with parole violations for moving traffic violations or driving without a license, unconnected with any other crime
- (27) Permit access to outside dentists and doctors at the inmates' own expense within the institution, where possible, and consistent with scheduling problems' medical diagnosis, and health needs
- (28) It is expressly understood the members of the Observer Committee will be permitted into the institution on a reasonable basis to determine whether all of the above provisions are being effectively carried out. If questions of adequacy are raised, the matter will be brought to the attention of the commissioner of correctional services for clearance

The September 15, 1971 Sunrise edition of the "Democrat and Chronicle" in an article entitled "Nobody Will Be Protected" indicated that Doctor JOHN EDLAND, Monroe County Medical Examiner, "stated eight hostages on which he performed autopsies indicated the cause of death was a result of gunshot wounds.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 1 1971

NR008 BU CODE

1150PM NITEL 9-30-71

TELETYPE

TO DIRECTOR (ATTENTION: DOMESTIC INTELLIGENCE DIVISION)

ALBANY (157-1017)

FROM BUFFALO (157-1367) 3P

ATTICA STATE PRISON

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY,

ATTICA, NEW YORK. RM.

RELIABLE SOURCE ADVISES IN CONNECTION WITH ATTICA RIOT THAT BY ORDER TO SHOW CAUSE, CIVIL RIGHTS ACTION INSTITUTED IN USDC, WDNY, BY INMATES OF ATTICA CORRECTIONAL FACILITY AGAINST STATE OF NEW YORK PURSUANT TO PROVISION OF TITLE FOUR TWO, USC, SECTION ONE NINE EIGHT THREE. INMATES SEEK IN PETITION TO PROCEED IN CLASS ACTION AS WELL AS INJUNCTIVE RELIEF IN CONNECTION WITH ALLEGED PHYSICAL ABUSE OF INMATES, ALLEGED COERCIVE INTERVIEWS OF INMATES AND ALLEGED DESTRUCTION BY PRISON OFFICIALS OF INMATE LEGAL MATERIALS.

SOURCE ADVISED BY ORDER SEPT. TWENTYEIGHT SEVENTYONE JOHN T. CURTIN USDJ, WDNY, DENIED INJUNCTIVE RELIEF IN CONNECTION WITH BARRING OF INTERVIEWS AND POINTED OUT ISSUE MAY BE RAISED IN STATE COURT. RELIEF ALSO DENIED ORDER RE ALLEGED CONFISCATION OF INMATE PROPERTY AS MATTER SUBJECT OF IMPROPER MOTION. ORDER FURTHER DENIED INJUNCTIVE DEMAND FOR ENLARGING INTERVIEWING CIRCUMSTANCES.

END OF PAGE ONE

55 OCT 15 1971

Included in summary to White House
and Attorney General. Date 10/15/71

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Gonder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

REC-26

Geo. H. Stone

ST-100

REC-26

12 OCT 7 1971

BUFFALO EVENING NEWS EDITION OF SEPT. TWENTYNINE LAST, A BUFFALO DAILY NEWSPAPER SETS FORTH INFORMATION THAT ARTHUR O. EVE, NEW YORK STATE ASSEMBLYMAN OF BUFFALO WHO WAS MEMBER OF CITIZENS NEGOTIATING COMMITTEE DURING TIME OF ATTICA RIOT, REPORTED HE HAD SEEN ATTICA CORRECTIONAL INMATE ELLIOTT JAMES BARKLEY, AKA "L.D." SEGREGATED IN THE PRISON YARD AFTER RETAKING THAT FACILITY BY AUTHORITIES ON SEPT. THIRTEEN LAST. BARKLEY IS ONE OF THE DEAD INMATES RESULTING FROM ATTICA RIOT.

REMAINING ISSUES TO BE RESOLVED USDC ARE WHETHER INMATES WILL BE ALLOWED TO BRING THEIR SUIT AGAINST STATE OFFICIALS AS A "CLASS ACTION", WHETHER THERE HAS BEEN ANY PHYSICAL ABUSE OF PRISONERS WHICH WOULD CONSTITUTE CRUEL AND UNUSUAL PUNISHMENT AND WHETHER PRISON OFFICIALS ARE DESTROYING INMATES LEGAL PAPERS THUS DENYING THEM FREE ACCESS TO THE COURTS.

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HEARING USDC BUFFALO, HELD SEPT. THIRTY, INSTANT WITH TESTIMONY OF ATTICA CORRECTIONAL INSTITUTION SUPERINTENDENT VINCENT R. MANCUSI AND THREE ATTICA STATE PRISON INMATES IDENTIFIED AS ALL TESTIFYING AS TO CONDITIONS AT THE ATTICA FACILITY SINCE SEPT. THIRTEEN LAST. COURT PROCEEDINGS ADJOURNED UNTIL OCT. FOURTH, NEXT.

END OF PAGE TWO

PAGE THREE

ADMINISTRATIVE

RE BUFFALO TEL SEPT. TWENTYEIGHT LAST.

SOURCE IS

END

REM FBI WASH DC CLR

MR. TRAINOR
FORM 712-A 9&D

b6
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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 1 1971

TELETYPE

NR004 BU CODE

845 PM URGENT 10-1-71 EWL

TO DIRECTOR (ATTN DID)

ALBANY (157-1017)

FROM BUFFALO (157-1367) 2P

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

RIOT BY INMATES, NEW YORK STATE CORRECTIONAL FACILITY, ATTICA, STATE PRISON
NEW YORK, EM.

RELIABLE SOURCE ADVISES BLACK STUDENT UNION (BSU), AT STATE
UNIVERSITY OF NEW YORK AT BUFFALO (SUNYAB), SPONSORED RALLY, AM,
OCT. ONE INSTANT, AT MORTON UNION, SUNYAB, WHICH WAS ATTENDED BY
ABOUT TWO HUNDRED FIFTY PERSONS. RALLY HELD TO HIGHLIGHT ATTICA
PRISON RIOT AND TO COMPLAIN OF SUNYAB CUT IN STUDENT AID. IN
ADDITION, A VARIETY OF BLACK GRIEVANCES DISCUSSED AND IT WAS
POINTED OUT THAT ALL THIRD WORLD STUDENTS SHOULD UNITE AND STRIKE.

ALL STUDENTS PRESENT DID NOT ATTEND RALLY BUT MANY MILLED ABOUT
AREA.

BSU EXTENDED RALLY INVATION TO ALL BUFFALO GHETTO AREA SCHOOLS
AND ABOUT SEVENTYFIVE BLACK STUDENTS FROM KENSINGTON HIGH
SCHOOL, BUFFALO, AND SIMILAR NUMBER FROM BENNETT HIGH SCHOOL,

END PAGE ONE

OCT 8 1971

"cc to IDIU
Adm. data added 10/1/71

FBI

FIR

ante To BU 10-1-71 RPF:nes.

PAGE TWO

BU 157-1367

BUFFALO, WERE IN ATTENDANCE. EVENT PUBLICIZED AS RALLY AND MARCH; HOWEVER, NO PARADE PERMIT ISSUED. RALLY TERMINATED AT NOON WHEN GROUP FROM KENSINGTON HIGH SCHOOL RETURNED IN SMALL GROUPS TO THAT SCHOOL. REMAINING GROUP OF ABOUT TWO HUNDRED FIFTY WALKED IN SMALL GROUPS ON SIDEWALK ALONG BUFFALO MAIN ST., DISTANCE OF TWO MILES, TO THE BLACK UNITED YOUTH CENTER, WHERE THE GROUP AGAIN MET BRIEFLY BEFORE DISPERSING. NO ARRESTS OR INCIDENTS OCCURRED.

ADMINISTRATIVE

SOURCE IS

NO LHM FOLLOWS.

SECRET SERVICE, NEW YORK STATE POLICE AND BUFFALO PD

COGNIZANT.

BUREAU WILL BE NOTIFIED OF ANY PERTINENT DEVELOPMENTS.

END

KPT FBI WASH

CLR

cc - Hansen

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Mr. Tolson _____
Mr. Felt _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR003 BU CODE

TELETYPE

535 PM NITEL 10-2-71 EWL

TO DIRECTOR (ATTN DID)

ALBANY (157-1017)

FROM BUFFALO (157-1367) 1P

Attica State Prison

*3-1-10-71
Capt*

RIOT BY INMATES, NYS CORRECTIONAL FACILITY, ATTICA, NEW YORK, EM.

RELIABLE SOURCE ADVISED INSTANT DATE NO DEMONSTRATIONS
OCCURRED ATTICA CORRECTIONAL FACILITY, ATTICA, N.Y., OCT. TWO
INSTANT.

*W Moore
DR
Stark*

ADMINISTRATIVE

RELAIBLE SOURCE IS

RE BUFFALO TEL OCT. ONE LAST.

END

REM FBI WASH D C CLR

REC-36

157-23105-
44-50605-67
8 OCT 5 1971

6100 121971

1-724

EXT. INT. SEC.

b6
b7C
b7D

015 13/

TELETYPE

ALBANY

Attica State Prison

ATTICA NY: EM:

RELIABLE SOURCE ADVISES CIVIL RIGHTS PROCEEDINGS IN APPLICATION FOR PRELIMINARY RELIEF CONTINUED USDC BUFFALO, NY OCT. FOUR SEVENTYONE, WITH TESTIMONY OF CLARENCE B. JONES, EDITOR AND PUBLISHER OF THE AMSTERDIAM NEWS, NEW YORK CITY, ALSO MEMBER OF GOLDMAN PANEL CONDUCTING INVESTIGATION OF ATTICA RIOT; ATTICA CORRECTIONAL FACILITY SUPERINTENDENT VINCENT R. MANCUSI, AND THREE ATTICA INMATES IDENTIFIED AS

USDJ JOHN T. CURTIN UPHOLD NYS MOTION TO QUASH SUBPOENA
DIRECTED TO ROBERT E. FISCHER, NYS DEPUTY ATTORNEY GENERAL AND

HEARING

USDC TO CONTINUE AM OCT. FIVE SEVENTEEN WITH ATTICA CORRECTIONAL
FACILITY OFFICIALS FURNISHING RECORDS RE DISMISSAL OF SEVERAL
ATTICA CORRECTIONAL FACILITY OFFICIALS FOLLOWING RIOT

END PAGE ONE

12 OCT 7 1971

ec to IDILL
Adm. data deleted

Mr. T
Mr. F
Mr.
Mr.
Mr.
Mr.
Mr.
Mr. C
Mr. G
Mr. D
Mr. Cle
Mr. Pop
Mr. R
Mr. T
Mr. W
Mr. Soyars
Tele. Room
Miss Holme
Miss Gandy

PAGE TWO

-----ADMINISTRATIVE-----

RE BUFFALO TELETYPES SEPT. THIRTY LAST AND OCTOBER TWO
LAST.

SOURCE IS

BUREAU WILL BE ADVISED OF PERTINENT DEVELOPMENTS.

END

WJM FBI WQ WA

MR. TRAINOR
ROOM 712-A 9&D

b6
b7C
b7D

F B I

Date: 10/4/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI
 FROM: SAC, LOS ANGELES (157-7046)(RUC)
 RE: INSUB: *A TICA STATE PRISON*

OO: Buffalo

Re Bureau airtel to Buffalo, 9/22/71.

A check of Los Angeles indices has developed no references known to relate to subject. Los Angeles files contain the following information which may or may not relate to him:

The Los Angeles Times, a Los Angeles, California newspaper, dated 12/12/67, carried an Associated Press article datelined at New York. The article advised that admirers of black power militant STOKELY CARMICHAEL had arrived at Kennedy Airport to greet him. Also on hand was CHARLES KENYATTA, head of the Harlem group known as the Mau Mau. He and CARMICHAEL drove off to what KENYATTA described as a reunion in Harlem with another black power leader, H. RAP BROWN.

A copy of the leaflet "The Living Church" dated 7/27/69, was made available by _____
 _____ St. John's Episcopal Church, 514 West Adams Boulevard, Los Angeles. An article advised that the

- 2 - Bureau (RM)
 1 - Buffalo (RM) (Info.)
 1 - Detroit (RM) (Info.)
 1 - Los Angeles

ANC/kll
 (5)

REC 25

EX-103

8 OCT 12 1971

EXT. INT. SEC.

Approved: _____
 Special Agent in Charge

Sent _____ M Per _____

LA 157-7046

National Black Economic Development Conference (NBEDC) continued to present its demands to ecclesiastical bodies throughout the country and that a member of the NBEDC spoke at a Quaker service in Philadelphia. He was identified as ~~MUHAMMED KENYATTA~~, 25, of Chester, Pennsylvania, who represented the NBEDC in the greater Philadelphia area. B. APPROX

[redacted] advised 9/29/71, that he had no knowledge of captioned individual.

[redacted] advised 9/28/71, that the captioned individual was unknown to him.

On the basis of information appearing in referenced airtel, the following agencies were checked with no information being developed:

Los Angeles Police Department
(Identification Division)
9/28/71;

Registrar of Voters of Los Angeles County
(Current Registry) 9/28/71;

Traffic Violations Bureau
Los Angeles 9/28/71;

Computer Credit Corporation
Los Angeles 9/28/71.

Los Angeles taking no further action in this matter at this time.

b7D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

REC-30 2

NR003 BU CODE

10:00 PM URGENT 10-5-71 DAT

OCT 5 1971

TO DIRECTOR (ATTN: DID)

TELETYPE

ALBANY (157-1017)

FROM BUFFALO (157-1367) 2P

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

RIOT BY INMATES, NEW YORK STATE (NYS) CORRECTIONAL FACILITY,
ATTICA, N. Y. EM.

Attica State Prison

A RELIABLE SOURCE ADVISED CIVIL RIGHTS PROCEEDINGS IN APPLICATION FOR THE PRIMARY RELIEF CONDUCTED USDC, BUFFALO, N. Y. OCT. FIVE INSTANT. AT THE OUTSET OF HEARING, NYS OFFICER REPORTED NO RECORD MAINTAINED RE RELEASE OF SEVERAL ATTICA CORRECTIONAL FACILITY (ACF) OFFICERS FOLLOWING RIOT AND IT WAS REPORTED THAT ALL OFFICERS EXCEPT ONE HAVE RETURNED TO DUTY. ISSUE NOT FURTHER PURSUED.

ATTORNEY REPRESENTING INMATES OF ACF MOVED TO AMEND COMPLAINT AND WISHES ESTABLISHMENT OF FEDERAL MONITORS TO OVERSEE ACTIVITIES AND INVESTIGATION AT ATC. FURTHER, TO ENJOIN ROBERT E. FISCHER, NYS DEPUTY ATTORNEY GENERAL FROM FURTHER INVESTIGATION AS WELL AS PROCEEDING WITH PROSECUTION AND TO ENJOIN CORRECTIONAL FACILITY OFFICERS FROM DESTROYING INMATE PROPERTY.

ARTHUR O. EVE, NYS ASSEMBLYMAN, WHO IS A MEMBER OF THE CITIZENS NEGOTIATING COMMITTEE DURING TIME OF ATTICA RIOT, COMPLETED HEARING TESTIMONY. HE TESTIFIED HE TOURED ACF SEPT. THIRTEENTH LAST. EVE TESTIFIED HE OBSERVED ON SEPT. THIRTEENTH LAST.

NOV 2 1971

PAGE TWO

INMATE JAMES BARKLEY, AKA "L.D." LYING FACE DOWN IN PRISON YARD WITH THREE OTHER PRISONERS AND WAS NOTIFIED BY [REDACTED] NYS DEPUTY CORRECTIONS COMMISSIONER THAT BARKLEY WAS ALIVE. BARKLEY IS ONE OF THE DEAD INMATES RESULTING FROM ATTICA RIOT. DURING SEPT. TWENTYFOUR LAST, EVE ALLEGED HE OBSERVED HARASSMENT AND INSULTS BY PRISON OFFICERS.

USDJ JOHN T. CURTIN, BUFFALO, N.Y. ADVISES HIS DECISION IN MATTER WOULD BE RENDERED AT TWO PM, OCT. SIX NEXT.

ADMINISTRATIVE

RE BUFFALO TEL TO BUREAU OCT. FOUR LAST.

SOURCE UTILIZED IS [REDACTED]

[REDACTED] N. Y.

BUREAU WILL BE ADVISED OF DEVELOPMENTS.

P.

END

Trainer

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b7C
b7D

Domestic Intelligence Division

INFORMATIVE NOTE

Date 10-6-71

Attached concerns the recent riot by inmates at New York State Correctional Facility, Attica, New York, and relates decisions rendered by Federal District Judge in Buffalo, New York, on 10-6-71. In addition, Robert Fischer, Deputy Attorney General*, announced an investigation of criminal acts relating to the riot would be conducted and directed in three areas: (1) those responsible for planning and carrying out the riot including the death of a police officer (2) identity of those responsible for the murders of several inmates while negotiations were under way and (3) the nature of the assault to retake the prison and applications of force used by troopers and correction officers.

Copy of attached sent Inter-Division Intelligence Unit. Pertinent parts will be included in summary to the White House, Vice President, Attorney General, Defense Intelligence Agency and Secret Service.

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RDC/TSB
gum

* of New York State

NR002. BU CODE

9:40 PM URGENT 10-6-71 DAT

TO DIRECTOR (ATTN: DID)

ALBANY (157-1017)

FROM BUFFALO (157-1367) 4P

RIOT BY INMATES, NEW YORK STATE (NYS) CORRECTIONAL FACILITY,
ATTICA, NEW YORK; EM.

DECISION RENDERED BY USDJ JOHN T. CURTIN, BUFFALO, NY, OCT.
SIX INSTANT ON ALL ISSUES BEFORE COURT IN APPLICATION FOR PRIMARY
RELIEF IN CIVIL RIGHTS PROCEEDINGS BY PRISONERS OF ATTICA CORREC-
TIONAL FACILITY (ACF) AGAINST THE STATE OF NEW YORK.

JUDGE CURTIN IN DECISION FROM BENCH DENIED INJUNCTIVE RELIEF
IN CONNECTION WITH ALLEGED PHYSICAL ABUSE WHICH WOULD CONSTITUTE
CRUEL AND UNUSUAL PUNISHMENT OF PRISONERS BY ACF OFFICERS AND
ALLEGED CONTINUED DESTRUCTION OF PRISONER PERSONAL PROPERTY IN-
CLUDING LEGAL DOCUMENTS BY ACF OFFICERS AND POINTED OUT NO TESTI-
MONY OF ALLEGED INCIDENTS AFTER SEPT. FOURTEEN LAST, THE DAY
FOLLOWING RETAKING OF ACF FROM INMATES, HAD BEEN FURNISHED. USDJ
CURTIN FURTHER DENIED MOTION TO ENJOIN ROBERT E. FISCHER, NYS
DEPUTY ATTORNEY GENERAL FROM FURTHER INVESTIGATION AT ACF AND
PROCEEDING WITH PROSECUTIVE EFFORTS.

MOTION DENIED BY USDJ CURTIN TO ESTABLISH FEDERAL MONITORS
TO OVERSEE ACTIVITIES AND INVESTIGATION AT ACF AND POINTED OUT
THAT HE HAS BEEN INFORMED NYS GOVERNOR NELSON A. ROCKEFELLER HAS
DIRECTED INQUIRY TO ATTORNEY GENERAL JOHN MITCHELL FOR USE OF
SUCH FEDERAL MONITORS AT ACF.

END PAGE ONE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 6 1971

TELETYPE

Mr. Tolson
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

EX-102

REC-30

20 OCT 14 1971

Included in letter to
and Attorney General

Adm. ... ROSEN For Director

PAGE TWO

"CLASS" ACTION OF INMATES DENIED BY COURT AT THIS TIME AS NO FEDERAL COURT REMEDY AVAILABLE. USDJ CURTIN POINTED OUT INMATES MAY PROCEED INDIVIDUALLY WITH CASE ACTION.

ROBERT E. FISCHER, NYS DEPUTY ATTORNEY GENERAL ON OCT. SIX INSTANT MADE PRESS RELEASE IN WHICH HE DISCUSSED HIS ROLE IN INVESTIGATION OF CRIMINAL ACTS RELATING TO THE ACF RIOTS. FISCHER STATED HIS SOLE FUNCTION IS TO INVESTIGATE VIOLATIONS OF THE STATE PENAL LAW AND TO ASSURE THAT SUCH VIOLATIONS ARE PROSECUTED. FISCHER ADVISED HE HAS ASSIGNED [REDACTED]

OF THE FBI, [REDACTED] NEW YORK COUNTY,

[REDACTED] OF THE INVESTIGATION.

FISCHER ANNOUNCED TO ASSURE TOTAL INDEPENDENCE OF THE CRIMINAL INQUIRY HE HAD RETAINED TO WORK DIRECTLY UNDER [REDACTED] NINE DETECTIVES FROM THE NEW YORK CITY POLICE DEPT. WHO ARE NOW RETIRED OR ABOUT TO RETIRE. FISCHER STATED AT HIS REQUEST ON SEPT. SEVENTEEN LAST, THE NYS POLICE OFFICERS ON THE SCENE AT ACF WERE ADVISED BY THE GOVERNOR'S OFFICE THAT THEIR DIRECT INVESTIGATIONAL RESPONSIBILITY HAD CEASED WITH THE EXCEPTION OF THOSE MEMBERS OF THE BUREAU OF CRIMINAL INVESTIGATION WHO HAD KNOWLEDGE OR ACCESS TO INFORMATION RELATING TO THE ASSAULT PHASE OF THEIR OPERATION AND RETAKING OF ACF. FISCHER STATED AS A RESULT OF AUTOPSIES,

END PG TWO

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b7C
b7D

PAGE THREE

ATTENTION WILL BE DIRECTED TO THREE AREAS: (ONE) THE INITIAL RIOT AND CONSIDERATION OF THE IDENTITY OF THOSE WHO PLANNED AND CARRIED IT OUT INCLUDING THE RESPONSIBILITY FOR DEATH OF OFFICER QUINN; (TWO) THE IDENTITY OF THOSE RESPONSIBLE FOR THE MURDERS OF INMATES HESS, SCHWARTZ AND PRIVITIERA WHILE NEGOTIATIONS WERE BEING CONDUCTED BETWEEN REPRESENTATIVES OF THE INMATES AND STATE AUTHORITIES; (THREE) THE NATURE OF THE ASSAULT TO RETAKE THE ACF AREA HELD BY INMATES INCLUDING THE NATURE AND APPLICATION OF THE FORCE USED BY TROOPERS AND FINALLY BY CORRECTION OFFICERS.

ADMINISTRATIVE

RE BUFFALO TEL OCT. FIVE LAST.

SOURCE IS

BUREAU WILL BE ADVISED OF PERTINENT DEVELOPMENTS.

END

DRL FBI WASH DC

cc: Mr. Miller

b6
b7C
b7D

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 7 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Fonder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 013 DE PLAIN

11:10 PM 10/6/71 NITEL DFM

TO: DIRECTOR
BUFFALO

FROM: DETROIT 157-82362 (RUC)

ATTICA STATE PRISON

UNSUB;

EXTREMIST MATTERS, BN.

REBUAIRTEL, SEPTEMBER TWENTYTWO, LAST.

DETROIT INDICES CONTAIN NO INFORMATION IDENTIFIABLE WITH CAPTIONED
SUBJECT.

END

REC 25

44-52605-72

OCT 8 1971

MCT-1

55 OCT 20 1971

EXT. INT. SEC.

b6
b7C

FBI

Date: 10/6/71

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL SPECIAL DELIVERY
(Priority)

TO : DIRECTOR, FBI

FROM: SAC, BUFFALO (157-1367) (P)

RIOT BY INMATES,
NEW YORK STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK
EXTREMIST MATTER

Remytel, 10/6/71.

Enclosed for the information of the Bureau and Albany are two (2) copies each of a statement released by New York State Deputy Attorney General ROBERT E. FISCHER at Buffalo, New York, on 10/6/71.

ENCLOSURE ATTACHED

ENCLOSURE

- ② - Bureau (Enc. 2) (AMSD)
 - 2 - Albany (Enc. 2) (AMSD)
 - 2 - Buffalo
- FBJ:jmb
(6)

REC-49

44-50605-73
25 OCT 18 1971

Approved: _____

54 OCT 21 1971 Special Agent in Charge

Sent _____

M

Per _____

ENCLOSURES TO BUREAU FROM BUFFALO (2)

BY INMATES,
NEW YORK STATE CORRECTIONAL FACILITY,
ALBANY, NEW YORK
COMMUNIST MATTER

Copies statement released by New York State
Deputy AG ROBERT E. FISCHER, Buffalo, New York,
10/6/71

157-1367

File, airtel to Bureau, 10/6/71

(Mount Clipping in Space Below)

Fischer Outlines Scope of Probe Into Attica Riot

By BOB BUYER

Deputy Atty. Gen. Robert E. Fischer today revealed the three areas that his investigation of the Sept. 9-13 uprising at Attica Correctional Facility is taking.

In a press conference in the State Office Bldg. here, Mr. Fischer emphasized that his investigative role is dealing only with criminal matters related to the riot.

Noting that the results of the autopsies of the 42 victims of the Attica violence already have been revealed, Mr. Fischer said that his investigations are following these courses:

—"The initial riot and the identity of those who may have planned and conducted it, including the responsibility for the death of Correction Guard William E. Quinn.

—"The identity of those responsible for the apparent murders of (inmates) Hess, Schwartz and Privitera while negotiations were being conducted between representatives of the inmates and the Correction Department.

—"The nature of the assault to retake the area held by the inmates, including the nature and application of the force used by troopers, and, finally, by correction officers."

On Sept. 17, Mr. Fischer said, he asked that the State Police be relieved of any investigation responsibility.

He also said that the only State Police now at Attica are members of the Bureau of Criminal Investigation who had access to information about the retaking of the correctional facility on Sept. 13.

(Indicate page, name of newspaper, city and state.)

1

BUFFALO EVENING NEWS
Buffalo, New York

Title:

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL
FACILITY,
ATTICA, NEW YORK
EXTREMIST MATTER

Date: 10/6/71
Edition: Late City
Author: Complete
Editor:
Title:

Character:
or

Classification: 157-1367
Submitting Office: Buffalo

☐ Being Investigated

IN A QUESTION period, Mr. Fischer also said:

—He has no fear of prosecuting policemen or public officials. He said he prosecuted officials in Buffalo and Utica and some Attica inmates who are former policemen.

—The Attica investigation hasn't moved fast enough to please him.

Lists of attorneys purporting to represent Attica inmates are in conflict.

—Assemblyman Arthur O. Eve (D., Buffalo) has not informed the Attica investigators about his seeing Elliott D. Barkley of Rochester, a slain inmate, alive after the prisoners gave up.

—He (Mr. Fischer) has no objection to prisoner interviews if they do not hinder the seating of impartial juries.

THE DEPUTY attorney general said that a number of facts already have been documented in connection with the riot and the assault that regained control of Cell Block D and related areas.

However, the investigation of these subjects is continuing, Mr. Fischer said.

Mr. Fischer implied criticism of the various civil rights groups seeking to represent inmates when he said:

"It has been our view that each inmate is entitled to the assistance of independent counsel who is interested only in the protection of the rights of that particular inmate."

The deputy attorney general also asserted that any attempt to require all prisoners who were in Cell Block D yard to be represented by a single attorney or a group of attorneys

"would be contrary to the interests of most of the inmate population."

THE QUESTION of inmate representation is now before the U. S. District Court in Buffalo, the U. S. Court of Appeals for the Second Circuit, New York City, and lately, the U. S. Supreme Court.

Mr. Fischer began his 20-minute prepared statement by asserting that his sole function is to investigate penal law violations that may have occurred at Attica Prison and that he does not hold the responsibility for the day-to-day administration of the correctional facility.

Then he named the staff whom he has engaged to direct the technical aspects of the investigation.

Anthony Simonetti, a former FBI agent and assistant district attorney of New York County, has been designated as an assistant attorney general in charge of the technical phases of the investigation.

DIRECTLY ASSISTING Mr. Simonetti will be Edward Hammock, a black man and another former assistant district attorney of New York County who previously had worked with Mr. Simonetti in homicide cases.

Mr. Hammock is on leave of absence as director of Day Top Village, a New York City social agency.

Mr. Simonetti and Mr. Hammock sat beside the deputy attorney general during the press conference.

Other attorneys and policemen identified by Mr. Fischer as retained to assist in the investigation mostly came from the New York City area.

The exception is Maxwell B. Spont, a former U. S. attorney general and state assistant attorney general in Utica.

Also named are David M. Richmond, another former assistant district attorney of New York County, and "several staff accountant investigators who are cataloguing records and items of evidence."

MR. FISCHER chose to repeat the names of the nine detectives engaged to participate in the investigations.

He said that they all were detectives from the New York City Police Department chosen from there to assure the independence of the criminal inquiry.

At the same time Mr. Fischer disclosed that Maj. John Monahan, who as commander of State Police Troop A, had the responsibility for retaking control of Cell Block D, was released two weeks ago from his Attica assignment so that he could resume his normal duties.

Mr. Fischer said that Capt. Henry F. Williams of the Bureau of Criminal Investigation under Maj. Monahan also has returned to his regular duties in other organized crime investigations.

However, Capt. Williams and other State Police are subject to recall in connection with the Attica investigation, Mr. Fischer said.

IN A QUESTION period, Mr. Fischer also said:

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MR. FISCHER chose to repeat the names of the nine detectives engaged to participate in the investigations.

He said that they all were detectives from the New York City Police Department chosen from there to assure the independence of the criminal inquiry.

At the same time, Mr. Fischer disclosed that Maj. John Monahan, who as commander of State Police Troop A, had the responsibility for retaking control of Cell Block D, was released two weeks ago from his Attica assignment so that he could resume his normal duties.

Mr. Fischer said that Capt. Henry F. Williams of the Bureau of Criminal Investigation under Maj. Monahan also has returned to his regular duties in other organized crime investigations.

However, Capt. Williams and other State Police are subject to recall in connection with the Attica investigation, Mr. Fischer said.

(Mount Clipping in Space Below)

Lawyers Trying To Crush Probe, Fischer Claims

By the Associated Press

WASHINGTON, Oct. 6 — A New York State official suggested today to the Supreme Court that lawyers are trying to crush the investigation into the prisoner rebellion at Attica.

A statement filed by Deputy Atty. Gen. Robert E. Fischer, who heads the inquiry, advised the court to reject a move by lawyers for a group of prisoners who say they are trying to buttress their legal rights. Mr. Fischer reminded the court that several suits are in progress contesting various aspects of the investigation.

"IT MIGHT be inferred," he said, "that an attempt is being made to impede and effectively stop any investigation of criminal matters which occurred during the Attica incident."

Lawyers from the Legal Aid Society of New York City applied Tuesday to Justice Thurgood Marshall to delay questioning of prisoners until Friday, when the U. S. Circuit Court in New York City is to hear arguments on questioning procedures. Justice Marshall turned the request over to the full Supreme Court.

Mr. Fischer said in his reply that a move by the Supreme Court would "largely nullify" any continuation of the investigation. He expressed doubt that the lawyers could speak for more than a handful of prisoners.

THE KEY legal issue is whether the investigation must comply with the 1966 Miranda decision by the Supreme Court, which guarantees criminal suspects the right to remain silent during interrogation and the right to have a lawyer with them.

The prisoners at Attica have been allowed to consult lawyers in advance of interrogation but have been barred from bringing the lawyers with them.

Mr. Fischer told the court that some inmates have been visited by several attorneys and that 172 prisoners had seen at least one lawyer one time by Sept. 29.

"To superimpose upon the difficulties presently encountered a ruling that no interviews can be had with inmates until counsel chosen by petitioners (seven complaining prisoners) are present would grossly inhibit the investigation, contrary to the proper needs, not only of the public as a whole, but of numerous inmates in that institution," Mr. Fischer said.

(Indicate page, name of newspaper, city and state.)

41

BUFFALO EVENING NEWS
Buffalo, New York

Title:

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL
FACILITY,
ATTICA, NEW YORK
EXTREMIST MATTER

Date: 10/6/71
Edition: Late City
Author: Complete
Editor:
Title:

Character:
or
Classification: 157-1367
Submitting Office: Buffalo
☐ Being Investigated

(Mount Clipping in Space Below)

Suit Over Convicts' Rights Dismissed

By JIM McAVEY

Federal Judge John T. Curtin dismissed Wednesday a suit by civil rights attorneys charging the constitutional rights of Attica inmates were being violated in the aftermath of the Sept. 9-13 riot in which 42 lives were lost.

"There is no question the beatings, running of the gauntlet, the racial slurs, night-time harassment, threats of future injury and reprisal and the destruction of legal materials, books and other property should not have occurred and should not be permitted to occur in the future," Curtin stated.

Point Is Noted

However, the judge said, testimony clearly indicated that any violations of constitutional rights which may have occurred took place on Sept. 13 when the riot was suppressed or shortly thereafter.

"The evidence before the court is that any actions of state officials arguably amounting to unconstitutional conduct occurred shortly after they regained control on Sept. 13," Curtin said.

The judge said there was no evidence that abuses were continuing and "therefore, the relief sought by the plaintiffs is denied and the defendants' motion to dismiss is granted."

Appeal Is Planned

Herman Schwartz, spokesman for the civil rights attorneys

who have designated themselves as the Attica Defense Committee, said Curtin's decision would be appealed to the Second District Circuit Court of Appeals in Manhattan.

He said the appeal might be filed today.

Edward Rosen, a member of the defense committee, said that if Curtin should be reversed the case might be remanded to Federal Court in Buffalo and come before Curtin again.

Lawyers' Request

The defense committee lawyers had asked the court to order that federal monitors be assigned to Attica to assure that convicts' rights were not violated during the investigation being conducted by Deputy State Atty. Gen. Robert E. Fischer.

Fischer and Deputy State Atty. Gen. David M. Richman of his staff were in court for Curtin's decision. Richman said Fischer had written to the Civil Rights Division of the U.S. Justice Department over a week ago outlining the need to assure that

(Indicate page, name of newspaper, city and state.)

1

COURIER EXPRESS
Buffalo, New York

Title:

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL
FACILITY,
ATTICA, NEW YORK
EXTREMIST MATTER

Date: 10/7/71
Edition: Four Star
Author:
Editor:
Title:

Character:
or
Classification: 157-1367
Submitting Office: Buffalo
☐ Being Investigated

no one's constitutional rights would be violated.

He said Fischer sent a copy of the letter to Gov. Nelson A. Rockefeller.

Wednesday morning, Richman said, Rockefeller contacted U.S. Atty. Gen. John M. Mitchell and asked him to appoint monitors at Attica.

It was understood these monitors, if named, would be on duty inside the correctional facility 24 hours a day. After rendering his decision, Curtin said Fischer had mentioned the letter to the Justice Department to him prior to the court session.

Regarding the denial of the relief sought by the defense committee Curtin said:

Cites 2 Questions

"This court can only be concerned with the question of whether the constitutional rights of the plaintiffs are being violated and whether a preliminary order of this court, made now, would protect their rights."

He said there was no evidence that any acts which might violate the inmates' rights were continuing.

"The plaintiffs have failed to persuade the court that there is any need for federal injunctive relief in this regard," the judge stated.

In addition to federal monitors, the Attica Defense Committee lawyers had asked the court to order a halt to Fischer's probe, to enjoin state officials from disposing of any personal property of inmates, and to permit them to represent all inmates who had been in Attica during the riot.

Fischer's Contentions

At a press conference Wednesday morning and in court Wednesday afternoon, Fischer and members of his staff said their investigation could be hampered if the defense committee lawyers were permitted to represent all Attica inmates as a class.

At the press conference, Fischer stated:

"Investigation of the specific responsibility for the deaths of Correction Officer William Quina and inmates Kenneth Hess, Barry Jay Schwartz and Michael J. Privitera is and will be affected by the actions now pending in the federal courts. The legal question there presented is whether our office will be required to treat all those who happened to be in the area secured by the inmates as represented by one attorney or group of attorneys."

Curtin had on Sept. 23 denied motions by the civil rights attorneys to bar the questioning of convicts unless they had first conferred with their lawyers and unless the lawyers were present during the questioning.

Curtin said it seemed to him important to rule as quickly as possible in the case to let the parties know where they stood and to permit them to appeal immediately if they wished to do so.

He said it was for that reason he ruled from the bench instead of the usual manner of filing the ruling at a later date outside the courtroom.

Opinion on Another Point

The judge said that, in the court's opinion, the housing of inmates suspected of having been ringleaders in the riot in a special maximum security at Attica, did not constitute cruel and unusual punishment.

All alleged acts of brutality and confiscation of convicts' personal property occurred on or shortly after Sept. 13 and no evidence was submitted to establish that abuses were continuing, Curtin said.

In order for the court to grant the injunctive relief sought by the defense committee there would have to be a "continuing constitutional deprivation or threat of such of such continuing" action, the judge stated.

October 7, 1971
GENERAL INVESTIGATIVE DIVISION
SUMMARY

This concerns the Attica, New York, prison riot. Civil Rights attorneys representing Attica prison inmates have filed a series of motions seeking injunctive relief in connection with alleged physical abuse of Attica prisoners by prison officers. Included was a motion to establish Federal monitors to oversee the investigations at Attica. On 10/6/71, a United States District Court Judge denied all motions on behalf of prisoners and stated inmates may proceed individually with case action. A Buffalo newspaper article on 10/6/71, revealed that New York Governor Nelson Rockefeller has by letter to Attorney General Mitchell requested the Civil Rights Division of the Department of Justice to investigate claims by Attica inmates that their civil rights were violated.

Our Albany Office will attempt to obtain a copy of that letter and forward it to the Bureau.

SAC, Buffalo points out approximately 1280 inmates of the total 2250 inmates at Attica were involved in the riot. In addition, a force of 1,400 State Troopers, Deputy Sheriffs, etc., were used to subdue the rioters. Also, there were numerous newsmen and civilian members of an observer's group. All could be considered as potential subjects, victims, or witnesses in any Civil Rights investigation.

NSI/jak

NSI

✓
LIPER
WBS
NS
CUB

NR001 BU PLAIN

8:45 PM URGENT 10-6-71 DAT

TO DIRECTOR

ALBANY

FROM BUFFALO (44-NEW) 5P

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 6 1971

TELETYPE

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. DeLoach
Mr. Evans
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

INMATES, ATTICA PRISON; CR.

EVENTS INVOLVED IN SEIZURE OF NEW YORK STATE (NYS)

CORRECTIONAL FACILITY (NYSCF), ATTICA, NY, BY INMATES ^{New York} ^{September} SEPT. NINE
LAST AND ITS SUBSEQUENT RECAPTURE BY NYS AUTHORITIES SEPT. THIR-
TEEN LAST HAVE BEEN EXTENSIVELY REPORTED ON A DAILY BASIS UNDER
CAPTION "RIOT BY INMATES, NYSCF, ATTICA, NY, EXTREMIST MATTER."

THESE COMMUNICATIONS, INCLUDING THE ONE TODAY, HAVE REPORTED
EXTENSIVELY ON SUBSEQUENT DEVELOPMENTS AT ATTICA. AMONG THESE ARE
A SERIES OF MOTIONS MADE ON BEHALF OF INMATES BY CIVIL RIGHTS
ATTORNEYS BEFORE ^{U. S. District Judge} ^{U. S. District Court} ~~U.S.D.J.~~ JOHN T. CURTIN, ~~U.S.D.C.~~ ^{44-50605-73x} BUFFALO, NY, SEEKING
INJUNCTIVE RELIEF IN CONNECTION WITH THE ^{ALLEGED} ~~ALLEGED~~ PHYSICAL ABUSE
OF PRISONERS AT ATTICA CORRECTIONAL FACILITY (ACF) OFFICERS;
ALLEGED CONTINUED DESTRUCTION OF PRISONERS' PROPERTY, INCLUDING
LEGAL DOCUMENTS, BY ACF OFFICERS; AN ORDER PREVENTING NYS DEPUTY
ATTORNEY GENERAL ROBERT E. FISCHER FROM FURTHER INVESTIGATION AT
ACF AND PROCEEDING WITH PROSECUTIVE EFFORTS; A MOTION TO ESTAB-
LISH FEDERAL MONITORS TO OVERSEE ACTIVITIES AND INVESTIGATION AT
ACF; AND A MOTION TO PERMIT A CLASS ACTION BY INMATES.

END PAGE ONE

OCT 13 1971

UNRECORDED COPY FILED IN 157-1-9-1

1cc destroyed 11/11/71 BC

PAGE TWO

IN CONNECTION WITH THESE MOTIONS, HEARINGS HAVE BEEN HELD BY JUDGE CURTIN AT WHICH SEVERAL INMATES, CORRECTION OFFICIALS AND OTHERS HAVE TESTIFIED. TODAY JUDGE CURTIN DENIED ALL MOTIONS ON BEHALF OF THE PRISONERS, STATING THAT INMATES MAY PROCEED INDIVIDUALLY WITH CASE ACTION AND NO FEDERAL COURT REMEDY AVAILABLE FOR CLASS ACTION. JUDGE CURTIN ALSO POINTED OUT HE HAS BEEN INFORMED THAT NYS GOVERNOR NELSON A. ROCKEFELLER HAS DIRECTED INQUIRY TO U.S. ATTORNEY GENERAL JOHN MITCHELL FOR USE OF FEDERAL MONITORS AT ACF.

TONIGHT'S LATE CITY EDITION OF "BUFFALO EVENING NEWS," A DAILY NEWSPAPER, IN AN ARTICLE DATED ALBANY, NY, TODAY STATES THAT ^{Governor} ~~GOV.~~ ROCKEFELLER SAID HE HAS REQUESTED THE CIVIL RIGHTS DIVISION OF THE U. S. JUSTICE ^{Department} ~~DEPT.~~ "TO INVESTIGATE CLAIMS BY ATTICA INMATES THAT THEIR RIGHTS HAVE BEEN VIOLATED."

ARTICLE STATES IN A LETTER TO U.S. ATTORNEY GENERAL JOHN MITCHELL THE GOVERNOR ALSO ACKNOWLEDGED "A POTENTIAL CONFLICT BETWEEN CERTAIN INMATES' RIGHTS AND THE CRIMINAL INVESTIGATION NOW UNDERWAY" INTO THE ATTICA RIOT.

THE LETTER REPORTEDLY SAID "IN ORDER TO RELIEVE THE PRESSURE THAT THE POTENTIAL CONFLICT BETWEEN CERTAIN INMATES' RIGHTS AND THE CRIMINAL INVESTIGATION NOW UNDERWAY IMPOSES ON DEPUTY ATTORNEY

END PAGE TWO

PAGE THREE

GENERAL ROBERT E. FISCHER AND HIS STAFF AND TO INSURE PUBLIC CONFIDENCE IN THE OBJECTIVITY AND FAIRNESS OF THE ENTIRE ATTICA INVESTIGATION, I AM HEREBY FORMALLY REQUESTING THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT OF JUSTICE TO INVESTIGATE CLAIMS BY ATTICA INMATES THAT THEIR RIGHTS HAVE BEEN VIOLATED."

THE LETTER PURPORTEDLY ALSO SAID "MR. FISCHER NOTED THAT SPECIFIC COMPLAINTS OF ASSAULTS UPON INMATES HAVE NOT BEEN BROUGHT TO HIS ATTENTION EITHER BY INMATES OR BY THEIR COUNSEL, AND THAT HE WOULD INVESTIGATE ANY SUCH ALLEGATIONS IF THEY WERE BROUGHT TO HIS ATTENTION. HE STATED ADDITIONALLY, HOWEVER, THAT A POSSIBLE CONFLICT WOULD EXIST IF THE INMATES MAKING ALLEGATIONS OF ASSAULTS COMMITTED AGAINST THEM WERE ALSO POSSIBLE DEFENDANTS AND THE TARGETS OF THE BROADER CRIMINAL INVESTIGATION HE IS CONDUCTING."

IN A SEPARATE DEVELOPMENT TODAY AT BUFFALO DEPUTY ATTORNEY GENERAL FISCHER, APPOINTED BY GOV. ROCKEFELLER TO CONDUCT THE STATE'S INVESTIGATION AT ATTICA, REVEALED IN A PRESS CONFERENCE THAT HIS SOLE FUNCTION IS TO INVESTIGATE VIOLATIONS OF THE STATE PENAL LAW AND TO ASSURE THAT SUCH VIOLATIONS ARE PROSECUTED. AS A RESULT OF AUTOPSIES, FISCHER STATED ATTENTION WILL BE DIRECTED TO THREE AREAS:

END PAGE THREE

PAGE FOUR

ONE, THE INITIAL RIOT AND CONSIDERATION OF THE IDENTITY OF THOSE WHO PLANNED AND CARRIED IT OUT, INCLUDING THE RESPONSIBILITY FOR DEATH OF CORRECTIONS OFFICER WILLIAM QUINN;

TWO, IDENTITY OF THOSE RESPONSIBLE FOR THE MURDERS OF THREE INMATES WHILE NEGOTIATIONS WERE BEING CONDUCTED BY THE REPRESENTATIVES OF THE INMATES AND STATE AUTHORITIES; AND

THREE, THE NATURE OF THE ASSAULT TO RETAKE THE PRISON AREA HELD BY INMATES, INCLUDING THE NATURE AND APPLICATION OF THE FORCE USED BY NEW YORK STATE POLICE AND FINALLY THE CORRECTIONS OFFICERS.

Information,
FOR THE BUREAU'S INFO, AS PREVIOUSLY REPORTED, ON SEPT. NINE LAST THERE WERE TWO TWO FIVE ZERO INMATES AT ATTICA, OF WHICH APPROX. ONE TWO EIGHT ZERO INMATES WERE INVOLVED IN ACTUAL RIOT. ASSAULT BY NYS AUTHORITIES ON SEPT. THIRTEEN LAST TO SUBDUE THE RIOTERS AND TO FREE THE HOSTAGES HELD BY THE INMATES INVOLVED A FORCE OF ONE FOUR ZERO ZERO NYS TROOPERS, DEPUTY SHERIFFS, NYS NATIONAL GUARDSMEN, AND CORRECTIONS OFFICERS. IN ADDITION TO THIS GROUP, THERE WERE ALSO NUMEROUS NEWSMEN, APPROX. THIRTY CIVILIAN MEMBERS OF AN OBSERVER'S GROUP, AND POSSIBLY OTHERS WHO WERE IN AND AROUND THE PRISON DURING THE PERTINENT PERIOD. ALL OF THE ABOVE PERSONS COULD BE CONSIDERED AS POTENTIAL SUBJECTS, VICTIMS OR WITNESSES IN ANY CIVIL RIGHTS INVESTIGATION.

END PAGE FOUR

PAGE FIVE

SINCE IT APPEARS COPIES OF GOV. ROCKEFELLER'S LETTER HAVE BEEN RELEASED TO THE PRESS, ALBANY SHOULD, IF NOT ALREADY DONE, OBTAIN A COPY AND FORWARD TO BUREAU AND BUFFALO.

ABOVE FURNISHED FOR BUREAU'S INFORMATION IN VIEW OF POSSIBLE REQUEST FROM DEPARTMENT FOR A CIVIL RIGHTS INVESTIGATION.

E N D

TMT FBI WA TU

cc: Mr. E.S. Miller

FBI

Date: 10/6/71

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

AIR MAIL SPECIAL DELIVERY

(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO : DIRECTOR, FBI

FROM: SAC, BUFFALO (44-NEW) (P)

INMATES
ATTICA PRISON
 CR

Remytel, 10/6/71.

Enclosed for the information of the Bureau and Albany are two (2) copies of a statement released by New York State Deputy Attorney General ROBERT E. FISCHER at Buffalo, New York, on 10/6/71.

ENCLOSURE
 ② - Bureau (Enc. 2) (AMSD)
 2 - Albany (Enc. 2) (AMSD)
 2 - Buffalo
 FBJ:jmb
 (6)

"ENCLOSURE ATTACHED"

EX-103

REC 20

44-50605-73X1
19982
7 OCT 13 1971

Approved: _____

55 OCT 16 1971
Special Agent in Charge

Sent _____ M Per _____

ENCLOSURE TO BUREAU FROM BUFFALO (121)

STATES,
AFRICA PRISON
ON

2 copies of statement released by New York
State Deputy AG ROBERT E. FISCHER,
Buffalo, New York, 10/6/71.

Buffalo 44-NEW

Buffalo airtel to Bureau, 10/6/71



F-253R

44-50605-73X1

44-0-19982

ENCLOSURE



STATE OF NEW YORK
ORGANIZED CRIME TASK FORCE

LOUIS J. LEFKOWITZ
ATTORNEY GENERAL

41 STATE STREET
ALBANY, NEW YORK 12207
518-474-1620

ROBERT E. FISCHER
DEPUTY ATTORNEY GENERAL

STATEMENT OF DEPUTY ATTORNEY GENERAL ROBERT E. FISCHER

BUFFALO, NEW YORK

OCTOBER 6, 1971

Since we were directed by the Governor and the Attorney General on September 15, to undertake the investigation of criminal acts relating to the Attica riots, a number of questions have been raised concerning the investigation's personnel framework and internal structure for the criminal investigation. We have released information concerning personnel assignments as our staff increased. Those releases may have been undertaken without sufficient emphasis, or may have been overlooked in the mass of material made available to the press by others.

First, I want to make it clear that I do not have responsibility for the administration of the Correctional Facility. That responsibility remains with the Commissioner of the Correction Department and Superintendent Mancusi. My sole function is to investigate violations of the Penal Law of this State and, if the facts warrant, in the judgment of a Grand Jury, act to assure that such violations are prosecuted.

~~In accordance with these duties,~~ I have assigned Mr. Anthony Simonetti, formerly an agent with the Federal Bureau of Investigation, and Assistant District Attorney of New York County, as the Assistant Attorney General in charge of all technical aspects of the investigation.

He will be assisted by Mr. Edward Hammock, a former Assistant District Attorney of New York County who worked with Mr. Simonetti in the past in the Homicide Bureau of that office. Mr. Hammock is on leave of absence as Executive Director of the Day Top Village in New York.

Other lawyer members of my staff will be assigned to assist Mr. Simonetti and Mr. Hammock as soon as permitted. They include Maxwell B. Spont, formerly a U.S. Assistant Attorney General and N.Y. Assistant Attorney General in the City of Utica Investigation; David M. Richman, a former Assistant District Attorney in New York County; Roger Bradley, formerly a Law Assistant to Judge Louis M. Greenblott of the Appellate Division, Third Department. These men are now assigned to handle the legal aspects of the several actions which have been brought by various attorneys in both the State and the Federal courts as those actions affect the state criminal investigation being conducted.

Also assigned under Mr. Simonetti and Mr. Hammock are several staff-accountant-investigators who are cataloguing records and items of evidence for future use.

As we announced last week, to assure total independence of the criminal inquiry, Detectives from the City of New York Police Department who are now retired or are about to retire, have been retained to work directly under Mr. Simonetti and Mr. Hammock. They include:

James Locurto, formerly Detective 1st Grade, New York City Police Department, assigned Manhattan South Homicide;

Ernie Milde, formerly Detective 1st Grade, New York City Police Department, assigned Manhattan South Homicide last 6 years on

3 Detective James Stephen, Detective 1st Grade, New York City Police Department, assigned Manhattan South Homicide;

✓ Detective John Gowery, 1st Grade, assigned 14 Detective Squad;

j. Detective Sergeant Francis Keenan, New York City Police Department, assigned Manhattan South Homicide;

c Lieutenant Thomas Quinn, New York City Police Department, Commanding Officer, Manhattan South Homicide;

7 Thomas Dolan, 2nd Grade Detective, Manhattan North Homicide;

8 Michael McCarren, 1st Grade Manhattan North Homicide;

9 Raymond Seiler, 1st Grade Manhattan North Homicide.

At my request on September 17, the State Police Officers on the scene at Attica were advised by the Governor's Office that their direct investigational responsibility had ceased, and that any further investigation on their part would be only as directed by my office. The State Police were then requested to retain at Attica those members of the Bureau of Criminal Investigation who had knowledge of or access to information relating to the assault phase of their operation and the re-taking of the facility, including the tactical plan and instructions, the identity and placement of personnel, the weapons used, the number of rounds fired, whether resistance was encountered and the circumstances, where and under what circumstances hostages and inmates were found, where bodies were found, and finally, the circumstances under which the inmates were surrendered to the Correction Officers.

Many photographs were taken by State Police photographers before, during and after the assault. Those photographs have been turned over to my office and will be retained to ultimately test the

credibility of those on site who may be witnesses in any criminal proceedings, as well as others.

Major John Monahan, who had the State Police responsibility for the tactical plan in re-taking the facility, has cooperated fully in establishing the facts as he knew them in the assault operation, and was released approximately two weeks ago to his regular assignment as Troop Commander of Troop A of the State Police. A number of other State Police personnel were also re-assigned to their regular duties after being de-briefed.

Captain Williams of the Bureau of Criminal Investigation, who served under Major Monahan during this period, was retained for the purpose of establishing identity of police personnel, completion of ballistic tests, body identification and autopsy identification requirements. Captain Williams also assisted in the "crime scene" investigation relating to the apparent homicides of Hess, Privitera and Schwartz since men under his command discovered those bodies. He has cooperated fully with me and with Mr. Simonetti in all phases of these matters. Having completed these immediate assignments, Captain Williams went about his regular duties in pending Organized Crime investigations. Mr. Simonetti of Mr. Hammock may recall him or any other State Police Officers to assist in any area of the investigation where those officers have direct knowledge of the facts.

I want to note emphatically that neither Major Monahan nor Captain Williams has been or will be in charge of this investigation; that the fact that they are not retained at Attica for that purpose is no reflection on their competence or the judgment exercised by them in the past. The record of these men in crime control over the years

As to the criminal investigation, the general results of the ~~autopsies have~~ been publicly revealed. As a result of the autopsies, our attention will generally be directed to these areas:

1. The initial riot and the question of the identity of those who may have planned and conducted it, including the responsibility for the death of Correction Guard Quinn.
2. The identity of those responsible for the murders of Hess, Schwartz and Privitera while negotiations were being conducted between representatives of the inmates and the Correction Department.
3. The nature of the assault to re-take the area held by the inmates, including the nature and application of the force used by Troopers, and, finally, by Correction Officers.

A number of facts have been documented and correlated in the first and third areas of inquiry and our investigation of these areas will be continued.

Investigation of the specific responsibility for the deaths of Correction Officer Quinn, and inmates Hess, Schwartz and Privitera is and will be affected by the actions now pending in the Federal Courts. The legal question there presented is whether our office will be required to treat all of those who happened to be in the area secured by the inmates as represented by one attorney or group of attorneys.

It has been our view that each inmate is entitled to the assistance of independent counsel who is interested only in the

protection of the rights of that particular inmate; that any attempt to require that the entire inmate population of D yard be represented by a single attorney or group of attorneys in view of the criminal acts under inquiry would be contrary to the interests of most of the inmate population.

This issue is now before the U.S. District Court, the U.S. Court of Appeals for the Second Circuit, and the U.S. Supreme Court in various forms.

F B I

Date: 10/7/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: Director, FBI
FROM: SAC, Albany (44-691)(P)
SUBJECT: INMATES, ATTICA PRISON
CR

There are enclosed for the Bureau and Buffalo two Xerox copies each of Governor NELSON A. ROCKEFELLER's press release, which release was transmitted by Telecopier to Bureau and Buffalo this date.

cc: 2 - Bureau (Encs.2)
2 - Buffalo (Encs.2)
1 - Albany

MHM:bar
(5)

EX-102

44-52605-74

REC-23

ENCLOSURE

OCT 11 1971

5500-1071
Approved: _____
Special Agent in Charge

Sent _____ M Per _____

STATE OF NEW YORK
EXECUTIVE CHAMBER
NELSON A. ROCKEFELLER, GOVERNOR

Ronald Maiorana, Press Secretary
518-474-8418 (Albany); 212 JU 2-7030 (NYC)

FOR RELEASE:
IMMEDIATE, WEDNESDAY
OCTOBER 6, 1971

Governor Rockefeller today made public the following letter to the United States Attorney General:

October 5, 1971

Dear Mr. Attorney General:

On September 28, 1971, Robert E. Fischer, Deputy Attorney General in Charge of New York State's Organized Crime Task Force wrote to the Department of Justice in regard to the question of protecting the civil rights of inmates who were at the Attica Correctional Facility during the recent disturbance.

As Judge Fischer indicated in his letter, the five-member panel appointed by Justice Harry Goldman of the New York State Appellate Division, Fourth Judicial Department, has advised Judge Fischer of its receipt of complaints from inmates who may have actively participated in the riots at Attica to the general effect that they have been physically mistreated in violation of their rights.

Judge Fischer noted that specific complaints of assaults upon inmates had not been brought to his attention either by inmates or by their counsel and that he would investigate any such allegations if they were brought to his attention. He stated additionally, however, that a possible conflict would exist if the inmates making allegations of assaults committed against them were also possible defendants and the targets of the broader criminal investigation he is conducting.

In light of all the circumstances, Judge Fischer was asked by the Goldman panel to request the participation of the Civil Rights Division and he stated that he would welcome the Division's undertaking of whatever action was deemed appropriate.

In order to relieve the pressure that the potential conflict between certain inmates' rights and the criminal investigation now underway imposes on Judge Fischer and his staff and to assure public confidence in the objectivity and fairness of the entire Attica investigation, I am hereby formally requesting the Civil Rights Division of the Department of Justice to investigate claims by Attica inmates that their rights have been violated.

Thank you for your valued cooperation.

Best regards,

157-23105-69
44-50605-74
Sincerely,

ENCLOSURE

(Signed) Nelson A. Rockefeller

F B I

Date: 10/7/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED MAIL
(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI
(ATTENTION: DOMESTIC INTELLIGENCE DIVISION)

FROM: SAC, BUFFALO (157-1367) (P)

RIOT BY INMATES, NEW YORK
STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK
EM

Re Buffalo teletype dated 10/6/71.

Enclosed for the Bureau are two (2) copies of a letter dated 10/6/71 from New York Governor NELSON A. ROCKEFELLER directed to the Attorney General of the United States. In addition, for the Bureau, are enclosed two (2) copies of five (5) Buffalo newspaper articles from October 6 and 7, 1971 editions relating to court developments in connection with captioned matter.

For the information of the Bureau and Albany, hearing held 10/7/71, U. S. District Court, Buffalo, New York, U. S. District Judge JOHN T. CURTIN in action by numerous newsmen against the State of New York. Action initiated during March, 1971 in connection with guidelines at Attica Correctional Facility relating to visitations by newsmen at that institution. No official New York State Department of Correction guidelines relating to news media visitation existed at time of court action and during July, New York State Department of Correction promulgated guidelines. Action not pursued until 10/7/71 when hearing held to question the constitutionality of prison guidelines now

(2) Bureau (Encs-12) (AM-RM)
2 - Albany (157-1017) (AM-RM)
2 - Buffalo

ORJ:lmk
(6)

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

BU 157-1367

existing relating to visitation of newsmen to Attica State Prison.

Several newsmen appeared and furnished testimony in connection with their being refused the opportunity to interview inmates at Attica State Prison since 9/13/71.

Hearing in U. S. District Court continues and the Bureau will be advised of developments.

ENCLOSURES FOR THE BUREAU FROM BUFFALO (12)

ATTENTION: DID

RIOT BY INMATES, NEW YORK
STATE CORRECTIONAL FACILITY,
ATTICA, NEW YORK

EM

(Buffalo file 157-1367)

Enclosed are two copies of a letter dated 10/6/71 from New York Governor NELSON A. ROCKEFELLER directed to the Attorney General of the United States. In addition, for the Bureau, are enclosed two copies of five Buffalo newspaper articles from Oct. 6 and 7, 1971 editions relating to court developments in connection with captioned matter.

AT, 10/7/71



(Mount Clipping in Space Below)

Rocky Asks

Rights

Probe at

Attica

(Indicate page, name of newspaper, city and state.)

1BUFFALO EVENING NEWS
Buffalo, New York

Title:

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL
FACILITY,
ATTICA, NEW YORK
EXTREMIST MATTERcc Bureau
10/7/71
jvvDate: 10/6/71
Edition: Late City
Author: Complete
Editor:
Title:

Character:

or

Classification: 157-1367-*but I*
Submitting Office: Buffalo☐ Being Investigated

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
OCT 7 1971	
FBI-BUFFALO	

Letter to Mitchell Notes Inmates' Violation Charges

By JERRY ALLAN

Buffalo Evening News Bureau

ALBANY, Oct. 6—Gov. Rockefeller said today he has requested the Civil Rights Division of the U. S. Justice Department "to investigate claims by Attica inmates that their rights have been violated."

In a letter to U. S. Atty. Gen. John Mitchell, the governor also acknowledged "a potential conflict between certain inmates' rights and the criminal investigation now under way" into the Attica riot.

The letter said, in part:

"In order to relieve the pressure that the potential conflict between certain inmates' rights and the criminal investigation now under way imposes on Deputy Atty. Gen. Robert E. Fischer and his staff, and to insure public confidence in the objectivity and fairness of the entire Attica investigation, I am hereby formally requesting the Civil Rights Division of the Department of Justice to investigate claims by Attica inmates that their rights have been violated."

The governor's letter also said:

"Mr. Fischer noted that specific complaints of assaults upon inmates have not been brought to his attention either by inmates or by their counsel and that he would investigate any such allegations if they were brought to his attention.

"He (Mr. Fischer) stated additionally, however, that a possible conflict would exist if the inmates making allegations of assaults committed against them were also possible defendants and the targets of the broader criminal investigation he is conducting."

(Mount Clipping in Space Below)

Trooper and Guard Acts Investigated

By DALE C. ENGLISH*

The activities of state police and correction officers during and after the recapture of the Attica Correctional Facility from rioting prisoners are part of the criminal investigation being conducted by Special State Prosecutor Robert E. Fischer, he admitted in Buffalo Wednesday.

In a press conference held in the Old State Office Bldg., 65 Court St., to explain "the general nature and substance of (the) investigation itself," Fischer politely skirted direct answers to reporters' questions on the probe's substance or on pending court cases stemming from the Attica riot.

Instead, he read a five-page typewritten statement and made these points, both in the statements and in answers to some questions:

—That his investigation, ordered Sept. 15 by Gov. Rockefeller

has not progressed to the degree I would like."

Indictment Question

—That "it has not been resolved" whether indictments stemming from alleged criminal activities related to the riot would come from a Wyoming County grand jury or a special panel drawn from voter registration lists across the state.

—That officials of the State Correction Dept., not Fischer's office, issued orders that reporters were not to be allowed inside the Attica prison to talk with inmates.

—That inmates who are interviewed by the press and who admit to participation in the riot can be subject to prosecution for statements made in the public press.

In his statement, Fischer said the inquiry by his Task Force

(Indicate page, name of newspaper, city and state.)

1

COURIER EXPRESS
Buffalo, New York

Title:

RIOT BY INMATES,
NEW YORK STATE
CORRECTIONAL
FACILITY,
ATTICA, NEW YORK
EXTREMIST MATTER

cc Bureau
10/7/71
jvv

Date: 10/7/71
Edition: Four Star
Author:
Editor:
Title:

Character:
or

Classification: 157-1362 Sub I
Submitting Office: Buffalo

☐ Being Investigated

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
OCT 7 1971	
FBI-BUFFALO	

on Organized Crime was directed into three general areas "as a result of the autopsies" made on the 10 hostages killed in the riot's suppression and the three white prisoners who were reportedly killed before the riot was quashed on Sept. 13. Those areas are:

"1. The initial riot and the question of the identity of those who may have planned and conducted it, including the responsibility for the death of Correction Officer (William E.) Quinn." (Quinn was injured during the outbreak of hostilities Sept. 9 and died two days later in a Rochester hospital.)

Identity of Slayers

"2. The identity of those responsible for the murders of (Kenneth) Hess, (Barry Jay) Schwartz and (Michael J.) Privitera while negotiations were being conducted between representatives of the inmates and the Correction Dept." (All three were prisoners.)

"3. The nature of the assault to re-take the area held by the inmates, including the nature and application of the force used by Troopers, and, finally, by correction officers."

Fischer went on to say that "a number of facts have been documented and correlated in the first and third areas of enquiry and our investigation of these areas will be continued."

However, the enquiry of the deaths of Quinn, Hess, Schwartz and Privitera "is and will be affected by the actions now pending in the federal courts."

Fischer carefully avoided implying that the court actions instituted by attorneys, representing or claiming to represent Attica inmates had adversely affected his investigation. However, in Washington, attorneys for Fischer argued before the U.S. Supreme Court that lawyers for the convicts were using the courts "to impede and effectively stop any investigation of criminal matters which occurred during the Attica incident."

Action by Inmates

The statement to the Supreme Court was made in response to an action brought by a group of Attica inmates that interrogation of them be barred unless they have been advised by an attorney.

In the Buffalo press conference Fischer noted that "the legal question . . . is whether our office will be required to treat all of those who happened to be in the area secured by the inmates as represented by one attorney or group of attorneys."

Fischer said his office is of

the opinion that each inmate is entitled to "the assistance of independent counsel" interested only in protecting the rights of his particular client. Attempts to lump all inmates present when the prison was stormed Sept. 13 under the same group of attorneys, or single attorney, "would be contrary to the interests of most of the inmate population," Fischer argued.

Abuse Is Alleged

Several inmates have testified in federal court here that they were beaten, verbally abused and subjected to personal humiliation by Attica prison guards immediately following the riot. Relatives of other inmates have made essentially the same allegations following visits inside the prison during the past week.

Fischer, in a letter to U.S. Atty. Gen. John N. Mitchell Sept. 28, said he would investigate any such allegations if they were brought to his attention.

In his statement Wednesday, Fischer avoided making reference to those allegations but in the question-and-answer portion of the press conference admitted that his investigation "included afterward," meaning the actions of guards and troopers after the insurrection was put down.

He noted that he had no fear of prosecuting public officials, citing his efforts in Buffalo and Utica to prosecute public officials and quipped, "...and I put some of them in Attica."

Fischer at one time was the special state prosecutor who superceded Erie County Dist. Atty. Michael F. Dillon in probing the scandal surrounding Buffalo's purchase of an old Post Office garage on Seneca St. for use by the Police Dept.

He also disclosed that four days after the riot ended, he submitted a request to Gov. Rockefeller's office that the "direct investigational responsibility" of the state police be terminated "and that any further investigation on their part would be only as directed by my office." It received favorable consideration.

"The state police were then requested to retain at Attica those members of the Bureau of Criminal Investigation who had knowledge of or access to information relating to the assault phase of their operation and the re-taking of the facility, including the tactical plan . . ."

Job for Williams

Fischer said that BCI Capt. Henry F. Williams from Troop A in Batavia "was retained for the purpose of establishing identity of police personnel, completion of ballistic tests, body identification and autopsy identification requirements."

"Capt. Williams also assisted in the 'crime scene' investigation relating to the apparent homicides of Hess, Privitera and Schwartz since men under his command discovered those bodies," Fischer added.

Williams, identified as the man giving radio commands during the attack under the direction of state police Maj. John Monahan, was transferred from the BCI in Batavia to the state police Special Investigatory Unit in Albany shortly after the Attica riot. State police officials insisted the move had been in the works for some time and was in no way related to Williams' role at Attica.

Fischer also said "it had not been resolved" how any indictments would be made by a Wyoming County grand jury or a special statewide panel. There has been speculation that a complete and impartial trial jury of 12 persons plus alternates could not be selected in rural Wyoming County because the population contains few blacks and has many persons with close ties to prison officials. The majority of the prisoners are black and Puerto Rican.

Decision on Prosecution

Also undetermined, Fischer said, was who specifically would handle any prosecutions — whether it would be himself or Asst. Atty. Gen. Anthony Simonetti, who is handling the technical aspects of the Attica probe.

Simonetti is assisted directly by Edward Hammock, a black lawyer who once worked with Simonetti in the Homicide Bureau of the New York district attorney's Office.



Special Prosecutor Robert E. Fischer

... explains his Attica prison enquiry

10/7/71

GENERAL INVESTIGATIVE DIVISION

This concerns the Attica, New York, prison riot. On 10/6/71, a Buffalo newspaper revealed New York Governor Nelson Rockefeller had sent a letter to Attorney General (AG) Mitchell requesting Civil Rights Division (CRD) of the Department to investigate claims by Attica inmates that their civil rights were violated.

Attached is a copy of the letter directed to AG Mitchell by Governor Rockefeller which confirms newspaper account that Governor Rockefeller has requested AG to investigate allegations of Attica inmates that their civil rights have been violated. No request for investigation by Department has been received at this time.

RHB:ejs

RHB

JOL
CLM

4
RHP
7

WBS

DE
R
JLM

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 7 1971

TELETYPE

Date: 10/7/71

Transmit the following in _____

(Type in plaintext or code)

URGENT VIA TELECOPIER

"TREAT AS ORIGINAL"

TO: DIRECTOR

FROM: ALBANY

INMATES, ATTICA PRISON, CR.

RE BUFFALO TELETYPE OCTOBER SIX, LAST.

THERE FOLLOWS FOR INFORMATION OF THE BUREAU, TELECOPY
OF RELEASE BY GOVERNOR NELSON A. ROCKEFELLER, OCTOBER 6, LAST
WHICH IS SELF-EXPLANATORY.

THIS IS ALSO BEING FURNISHED TO BUFFALO.

MMH:BAR
(1)

Mr. Tolson
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Soyars
Mr. Tavel
Mr. Walters
Tele. Room
Miss Holmes
Miss Gandy

EX-102

REC-53

44-50605-75X
44-6-19980
OCT 13 1971

ENCLOSURE

6 OCT 13 1971

6-13w

1 - Mr. D. A. Bransho
1 - Mr. D. L. Nugent

SAC, Los Angeles

OCT 8, 1971

Director, FBI

Mr. W. C. Patterson
Mr. R. P. Finzel

SUB: Minister
MURKIN MATTERS

Re: airtel 9-22-71 captioned as above; Buffalo letter and 9-22-71 entitled "Riot by Inmates at New York State Correctional Facility, Attica, New York - 9-22-71"

For the assistance of Los Angeles, referenced Buffalo letter, this Bureau contained additional information concerning Kenyan, as follows:

[Redacted]

Seventh in a series of
University Islamic Brotherhood Center
in care of 422 Webster Street, Buffalo, New York,
or 1013 Hollywood Lane, Santa Monica, California.

- 1 - Detroit
- 1 - Buffalo

RPF:nls NLC
(9)

MAILED 12

OCT - 7 1971

FBI

REC-46

159-23703-70

44-50605-76

OCT 8 1971

NOTE:

Los Angeles, Buffalo and Detroit were requested in Bureau airtel 9-22-71 to fully identify captioned individual. [Redacted] participated in the negotiations with inmates at the Attica Prison, riot of 9-21-71. He was unknown to the Bureau, but he made very inflammatory extremist statements to the inmates.

Los Angeles and Buffalo are conducting investigations into his background and activities.

- Tolson
- DeLoach
- Rosen
- Mohr
- Bishop
- Miller, E.S.
- Callahan
- Casper
- Conrad
- Dalbey
- Cleveland
- Ponder
- Bates
- Tavel
- Walters
- Soyars
- Tele. Room
- Holmes
- Gandy

54 OCT 19 1971

MAIL ROOM

TELETYPE UNIT

RFX

ERS

b6
b7C

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bates *CLM*

FROM : C. L. McGowan *CLM*

SUBJECT: UNKNOWN SUBJECTS;
INMATES, ATTICA PRISON
ATTICA, NEW YORK - VICTIMS
CIVIL RIGHTS

DATE: 10/8/71

1 - Mr. Rosen
1 - Mr. Bates
1 - Mr. Shroder
1 - Mr. McGowan
1 - Mr. Blay
1 - Mr. Felt
1 - Mr. Bishop

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

ATTICA PRISON

On 10/5/71, Governor Nelson Rockefeller of New York State, directed a letter to the Attorney General requesting the Department of Justice to investigate claims by Attica inmates that their rights have been violated during the recent disturbances at the prison.

Deputy Assistant Attorney General (DAAG) K. William O'Connor, of the Civil Rights Division (CRD), telephonically advised the Bureau today that the Attorney General had requested some action be taken in connection with this matter. Mr. O'Connor stated that he, DAAG James P. Turner and Section Chief Robert Murphy of the CRD would be proceeding to Buffalo, New York, where they plan on Tuesday, 10/12/71, to confer with Robert E. Fischer, Deputy Attorney General, who is in charge of the New York State group that is inquiring into the Attica situation. O'Connor stated it was planned they would meet with Judge Fischer and discuss with him the various aspects of the matter and try to make a determination as to what action would be projected. Mr. O'Connor stated that these discussions may generate requests for investigation by the FBI.

O'Connor stated at this time he did not have any idea as to what matters if any would have to be inquired into. O'Connor was calling merely to alert the Bureau to the fact that we might be receiving requests from the CRD in this regard. He requested that the Agent in charge of the Buffalo Office be advised of the fact that the Departmental representatives would be conferring with Judge Fischer in Buffalo on Tuesday next.

ACTION: Buffalo Office is being advised of the contemplated visit to Buffalo of Departmental representatives. The SAC is being instructed that any requests for investigation received from the Department should be immediately brought to the attention of the Bureau before such investigation is initiated.

CLM/pwl (8)

MCT-31

25 OCT 18 1971

COPY SENT TO MR. TOLSON

FBI

Date: 10/9/71

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

AIR MAIL REGISTERED MAIL

(Priority)

Mr. Tolson _____
Mr. Felt _____
Mr. Rosen _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, E _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Bates _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

TO: DIRECTOR, FBI
ATTENTION: DOMESTIC INTELLIGENCE DIVISION

FROM: SAC, BUFFALO (157-1367) (P)

RIOT BY INMATES
NEW YORK STATE CORRECTIONAL FACILITY
ATTICA, NEW YORK
EM

Attica State Prison

Re Buffalo airtel to Director, 10/7/71.

Enclosed for the Bureau are two and Albany two, copies of a USDC, Buffalo record transcript of decision rendered by USDC Judge JOHN CURTIN, WDNY, on 10/6/71.

On 10/8/71, _____ Judge CURTIN, USDC, Buffalo, gratuitously made available record transcript of court proceedings of USDC on 10/6/71, which sets forth decision in captioned matter, rendered by Judge CURTIN. Pertinent transcript is being made available for Bureau review.

ENCLOSURE ENC. BEHIND FILE

2 - Bureau (AM- RM)
2 - Albany (AM- RM)
1 - Buffalo
ORJ:amh
(5)

101

REC 43

44-50605-78

17 OCT 18 1971

EXT. INT. SEC.

b6
b7C

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

FBI

Date: 10/9/71

Mr. Tolson _____
 Mr. Felt _____
 Mr. Rosen _____
 Mr. Mohr _____
 Mr. Bishop _____
 Mr. Miller, ES _____
 Mr. Callahan _____
 Mr. Casper _____
 Mr. Conrad _____
 Mr. DeLoach _____
 Mr. Evans _____
 Mr. Gale _____
 Mr. Rosen _____
 Mr. Sullivan _____
 Mr. Tavel _____
 Mr. Walters _____
 Mr. Soyars _____
 Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

Transmit the following in _____

(Type in plaintext or code)

Via _____

AIR MAIL - SPECIAL DELIVERY

(Priority)

TO: DIRECTOR, FBI

FROM: SAC, BUFFALO (44-592) (P)

 INMATES,
 ATTICA PRISON
 CR *ATTICA PRISON*

Re Buffalo airtel to Bureau, 10/7/71.

Enclosed for the Bureau are three copies of a USDC Buffalo, record transcript of decision rendered by USDC Judge JOHN CURTIN, WDNY, on 10/6/71.

On 10/8/71, [redacted] Judge CURTIN USDC, Buffalo, gratuitously made available record transcript of court proceedings of USDC on 10/6/71, which sets forth decision in captioned matter, rendered by Judge CURTIN. Pertinent transcript is being made available for Bureau review.

Albany has been furnished copies of the transcript by separate communication under EM character.

ENCLOSURE ENC. BEHIND FILE

- 3 - Bureau (Encs. 3) (AM-SD)
 1 - Albany (Info.) (AM-SD)
 1 - Buffalo

 ORJ:amh
 (5)

 44-52625-179
 7 OCT 15 1971

 b6
 b7C

7 OCT 21 1971

Special Agent in Charge

Sent _____

M

Per _____

F B I

Date: 10/14/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED MAIL
(Priority)

TO: DIRECTOR, FBI (ATTN: DOMESTIC INTELLIGENCE DIV.)

FROM: SAC, BUFFALO (157-1367) (P)

RIOT BY INMATES,
 NEW YORK STATE CORRECTIONAL
 FACILITY, ATTICA, NEW YORK
 EM

Attica State Prison

Rock

Co. [unclear]

Remyairtel, 10/9/71.

On 10/13/71, [redacted]

Attica Correctional Facility, Attica, New York, established source, advised one additional correctional officer of Attica Correctional Facility died on 10/9/71 at Strong Memorial Hospital, Rochester, New York, as a result of the riot which occurred at that institution, making death total 43. The dead officer was identified as HARRISON W. WHALEN, Age 37, a resident of Alexander, New York. Monroe County Medical Examiner reported the cause of death as complications arising from wounds produced by buckshot pellets.

- P - Bureau (AMRM)
 1 - Albany (Info) (AMRM)
 2 - Buffalo

ORJ:cap
 (5)

EX-109
REC 31

44-50605-80

157-23105-17

22 OCT 18 1971

NTL SEC

1cc 62000

Approved: 5 OCT 25 1971

Special Agent in Charge

Sent

M

Per

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Bates *OK*

DATE: October 19, 1971

FROM : C. L. McGowan *CLM*

1 - Mr. Rosen
1 - Mr. Bates
1 - Mr. Shroder
1 - Mr. McGowan
1 - Mr. McDonough
1 - Mr. Felt

SUBJECT: UNKNOWN SUBJECTS;
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY
ATTICA (WYOMING CO.), NEW YORK;
UNKNOWN VICTIMS, INMATES OF ATTICA;
SUMMARY PUNISHMENT;
CIVIL RIGHTS

Pursuant to the Director's instructions, SAC Gamble of the New York Office has been instructed to proceed to Buffalo to take personal charge of the limited investigation requested by the Civil Rights Division concerning captioned matter.

SAC Brouse of the Buffalo Office has been informed of this and has also been instructed to have a squad of Agents available for appropriate conference with SAC Gamble upon his arrival in Buffalo to take charge of this investigation.

ACTION: For information. This matter will be closely followed at the Bureau and you will be kept advised of any pertinent developments.

EJM:smp
(6)

CLM

CLM
mcg

EX-114

REC-65

44-50605-81
OCT 21 1971

COPIES MADE FOR MR. TOLSON

Upend
 Tolson *7/30*
 Felt *7/30*
 Rosen *7/30*
 Mohr *7/30*
 Bishop *7/30*
 Miller, E.S. *7/30*
 Callahan _____
 Casper _____
 Conrad _____
 Dalbey _____
 Cleveland _____
 Ponder _____
 Bates _____
 Tavel _____
 Walters _____
 Soyars _____
 Tele. Room _____
 Holmes _____
 Gandy _____

SUBJECT:

*Riot by inmates**NEW YORK STATE CORRECTIONAL INSTITUTE**ATTICA, N.Y.**F. R. R. K.*

UPI-109

(ATTICA)

WASHINGTON--THE SUPREME COURT VOTED 6-1 TODAY NOT TO STOP THE STATE FROM QUESTIONING INMATES AT NEW YORK'S ATTICA PRISON ABOUT THE FOUR-DAY SEPTEMBER UPRISING THAT TOOK A TOTAL OF 48 LIVES.

IN A BRIEF ORDER, THE COURT REFUSED THE PRISONERS' REQUEST FOR A TEMPORARY RESTRAINING ORDER OR AN INJUNCTION AGAINST THE INTERROGATIONS UNTIL THEY ARE GIVEN LEGAL HELP.

JUSTICE WILLIAM O. DOUGLAS WAS THE LONE DISSENTER. HE SAID HE WOULD LIKE TO HEAR THE CLAIM OF INTERROGATION WITHOUT A LAWYER PRESENT PLUS OTHER CLAIMS THAT THE PRISONERS WERE BEATEN AND THREATENED IN THE WAKE OF THE PRISON REVOLT.

"THIS IS A CASE IN WHICH THE PUBLIC INTEREST RUNS HIGH AND WHICH RAISES GRAVE QUESTIONS CONCERNING PROCEDURES FOR LAW ENFORCEMENT THAT COMPORT WITH THE CONSTITUTION," DOUGLAS SAID.

"THE NEED FOR AN IMMEDIATE, AUTHORITATIVE DETERMINATION OF THE PRISONERS' CLAIMS IS PARAMOUNT. IT WOULD SERVE NO INTEREST OF THE PUBLIC, OR OF JUDICIAL ORDER, FOR THAT DETERMINATION TO AWAIT THE EXHAUSTION OF REMEDIES IN THE LOWER COURTS."

10/12--GE155P

44-50605-A
 NOT RECORDED
 184 OCT 21 1971

10/19/

1 - Mr. McGowan
1 - Mr. McDonough

airtel

ST
4/4

To: SACs, Buffalo (Enclosures - 2) PERSONAL ATTENTION
SAC GAMBLE
New York (Enclosures - 2)
Albany (Enclosures - 2)
Washington Field (Enclosures - 2) (BY MESSENGER)

REC-2
From: Director, FBI 44-50605-5
UNKNOWN SUBJECTS; 44-50605-82
CORRECTIONAL OFFICERS
ATTICA CORRECTIONAL FACILITY
ATTICA (WYOMING CO.), NEW YORK
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS

ATTICA STATE PRISON
Enclosed for each office are two copies of a letter
from the Civil Rights Division dated 10/19/71.

Upon receipt of instructions from SAC Gamble of the New York Office who is in personal charge of this investigation at Buffalo, handle investigation requested on a continuous and expedite basis pursuant to instructions set out in Section 27, Manual of Instructions, relating to civil rights matters. Advise all persons contacted investigation is being conducted at the specific request of Assistant Attorney General (AAG) David L. Norman, Civil Rights Division, U. S. Department of Justice.

As set forth in the request of the Civil Rights Division, the investigation is to be limited to the events occurring after 9:43 a.m., 9/13/71, which according to the Civil Rights Division was the time when the effort was begun to regain the Attica Correctional Facility.

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

EJM/pwl (11)
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 19 1971
FACSIMILE
MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director
Federal Bureau of Investigation

DATE: OCT 19 1971

FROM : David L. Norman
Assistant Attorney General
Civil Rights Division

DLN:RAM:vap
DJ 144-53-313

SUBJECT: Unknown Subjects;
Correctional Officers
Attica Correctional Facility
Attica (Wyoming Co.), New York,
Unknown Victims, Inmates of Attica;
Summary Punishment
CIVIL RIGHTS

Mr. Tolson	
Mr. Felt	
Mr. Rosen	
Mr. Mohr	
Mr. Winterrowd	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Daibey	
Mr. Cleveland	
Mr. Ponder	
Mr. Bates	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

This Division received a letter dated October 5, 1971 from Governor Nelson A. Rockefeller in which the Governor stated that a panel appointed by Justice Harry Goldman of the New York State Appellate Division, Fourth Judicial Department, had received complaints from inmates that they had been physically mistreated in violation of their rights after authorities had regained control of Attica Correctional Facility on September 13, 1971. It is the function of this panel to go to the Attica Facility to assure that the constitutional rights of inmates are being protected. The panel, however, has no authority to conduct official investigations or to undertake prosecutions.

On October 12, 1971, two attorneys from this Division met with Robert E. Fischer, Deputy Attorney General in charge of the Organized Crime Task Force for the State of New York, and [redacted] to Mr. Fischer. Mr. Fischer has been appointed by [redacted] OCT 22 1971

In view of importance of this, SAC Gamble of N.Y. should be in charge of squad for this investigation.

AIRTEL TO
AS HL, ED, NY, JFC
10/19/71 E JACLOPL
FROM ASGCA, TO BATES
10/19/71 E JACLOPL

EXP. PROC. 35
OCT 19 1971

b6
b7C

6-cpm

Governor Rockefeller to investigate and prosecute criminal actions arising from the Attica riot. Although Mr. Fischer's mandate is broad enough to include prosecution of anyone who may have abused prisoners, he recognizes that it is unlikely that prisoners will come to him with complaints because he intends to prosecute prisoners for crimes they may have committed. For that reason Governor Rockefeller has requested the assistance of this Division. Mr. Fischer stated that members of the panel appointed by Justice Goldman have told Fischer that they had received complaints from inmates that the inmates had been physically beaten by correctional officers. If prisoners have been beaten by correctional officers, there could be violations of 18 U.S.C. 242.

Please conduct the following limited investigation to be confined to events occurring after 9:43 a.m., September 13, 1971.

1. Contact either Mr. Fischer or [redacted] New York and obtain from [redacted] them, if available:

- a) All movie and still pictures concerning the retaking of the Facility and its aftermath;
- b) All medical reports of inmates who were examined after the retaking of the Facility;
- c) The transcript of a hearing and all pleadings and a list of exhibits introduced in Inmates of the Attica Correctional Facility, et. al. v. Rockefeller, et. al. heard in Federal District Court for the Western District of New York.

b6
b7C

If these documents are not made available by Messrs. Fischer or [redacted] determine from them where they are available and obtain them.

b6
b7C

2. Interview the members of the Goldman panel and determine from them the specifics of any prisoner abuse reported to them, including the names of victims and the names of subjects, if known. The panel members are: Clarence B. Jones, publisher of Amsterdam News, Austin H. McCormick, Donald Goff, Luis Nunez, executive director of Aspira and Robert B. Patterson of the New York City law firm of Belknap and Webb.

3. Interview the following individuals who, it is alleged, have witnessed beatings or shootings:
[redacted] Green Haven Correctional Facility, Stormville, New York [redacted]
[redacted] from Attica on [redacted]
[redacted] an inmate who is still at Attica. Determine from each of them all first hand information they possess concerning beatings or shootings.

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b7C

4. Interview [redacted] University of Buffalo, New York Hospital, for details of his allegation that prisoners told him they were being clubbed and that he witnessed physical evidence of same. Determine the names of such prisoners, if possible.

5. Interview [redacted] Howard University Hospital, Washington, D.C. for the names of doctors and nurses who, she alleges, told her that they had witnessed prisoners' injuries, including broken limbs. Interview all such named doctors and nurses for details.

6. Interview Mr. Silverman, President of the Legal Aid Society of New York and Mr. Carr, Chief Attorney of the Legal Aid Society of New York, and determine from them all specific information they have concerning any prisoner who may have been beaten or shot. Mr. Silverman and Mr. Carr have contacted this Division and have indicated they possess such information.

7. Obtain all official reports submitted by corrections officers, state policemen, national guardsmen, and any other law enforcement officers concerning their activities at Attica from the time the effort to regain control of the Facility was begun until two days later. Such reports should include discharge of firearms or use of force.

Director
Federal Bureau of Investigation

10/19/71

David L. Norman
Assistant Attorney General
Civil Rights Division

DLN:RAM:vap
DJ 144-53-313

Unknown Subjects;
Correctional Officers
Attica Correctional Facility
Attica (Wyoming Co.), New York,
Unknown Victims, Inmates of Attica;
Summary Punishment
CIVIL RIGHTS

This Division received a letter dated October 5, 1971 from Governor Nelson A. Rockefeller in which the Governor stated that a panel appointed by Justice Harry Goldman of the New York State Appellate Division, Fourth Judicial Department, had received complaints from inmates that they had been physically mistreated in violation of their rights after authorities had regained control of Attica Correctional Facility on September 13, 1971. It is the function of this panel to go through the Attica Facility to assure that the constitutional rights of inmates are being protected. The panel, however, has no authority to conduct official investigations or to undertake prosecutions.

On October 12, 1971, two attorneys from this Division met with Robert E. Fischer, Deputy Attorney General in charge of the Organized Crime Task Force for the State of New York, and [redacted] to Mr. Fischer. Mr. Fischer has been appointed by

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Governor Rockefeller to investigate and prosecute criminal actions arising from the Attica riot. Although Mr. Fischer's mandate is broad enough to include prosecution of anyone who may have abused prisoners, he recognizes that it is unlikely that prisoners will come to him with complaints because he intends to prosecute prisoners for crimes they may have committed. For that reason Governor Rockefeller has requested the assistance of this Division. Mr. Fischer stated that members of the panel appointed by Justice Goldman have told Fischer that they had received complaints from inmates that the inmates had been physically beaten by correctional officers. If prisoners have been beaten by correctional officers, there could be violations of 18 U.S.C. 242.

Please conduct the following limited investigation to be confined to events occurring after 9:43 a.m., September 13, 1971.

1. Contact either Mr. Fischer or [redacted]
[redacted] New York and obtain from
them, if available:

- a) All movie and still pictures concerning the retaking of the Facility and its aftermath;
- b) All medical reports of inmates who were examined after the retaking of the Facility;
- c) The transcript of a hearing and all pleadings and a list of exhibits introduced in Inmates of the Attica Correctional Facility, et. al. v. Rockefeller, et. al. heard in Federal District Court for the Western District of New York.

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If these documents are not made available by Messrs. Fischer or [redacted] determine from them where they are available and obtain them.

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2. Interview the members of the Goldman panel and determine from them the specifics of any prisoner abuse reported to them, including the names of victims and the names of subjects, if known. The panel members are: Clarence B. Jones, publisher of Amsterdam News, Austin H. McCormick, Donald Goff, Luis Nunez, executive director of Aspira and Robert B. Patterson of the New York City law firm of Belknap and Webb.

3. Interview the following individuals who, it is alleged, have witnessed beatings or shootings: [redacted] inmates of Green Haven Correctional Facility, Stormville, New York. [redacted]

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[redacted] Attica on [redacted] an inmate who is still at Attica. Determine from each of them all first hand information they possess concerning beatings or shootings.

4. Interview [redacted] University of Buffalo, New York Hospital, for details of his allegation that prisoners told him they were being clubbed and that he witnessed physical evidence of same. Determine the names of such prisoners, if possible.

5. Interview [redacted] Howard University Hospital, Washington, D.C. for the names of doctors and nurses who, she alleges, told her that they had witnessed prisoners' injuries, including broken limbs. Interview all such named doctors and nurses for details.

6. Interview Mr. Silverman, President of the Legal Aid Society of New York and Mr. Carr, Chief Attorney of the Legal Aid Society of New York, and determine from them all specific information they have concerning any prisoner who may have been beaten or shot. Mr. Silverman and Mr. Carr have contacted this Division and have indicated they possess such information.

7. Obtain all official reports submitted by corrections officers, state policemen, national guardsmen, and any other law enforcement officers concerning their activities at Attica from the time the effort to regain control of the Facility was begun until two days later. Such reports should include discharge of firearms or use of force.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

001 20 1971

TELETYPE

NR 038 NY PLAIN

720 PM SSS IMMEDIATE 10-20-71 JLW

TO DIRECTOR

BUFFALO 44-592 ATT. SAC GAMBLE

WASHINGTON FIELD

ALBANY

FROM NEW YORK 44-2086 6P

ATTORNEY STATE PRISON

UNSUBS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN
VICTIMS - INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

RE BUFFALO TEL TO DIRECTOR AND NEW YORK OCT. TWENTY,
INSTANT.

THIS DATE THE FOLLOWING INVESTIGATION WAS CONDUCTED
AT NEW YORK..

MR. J.L. BUCKINGHAM, ADMINISTRATOR, NYU MEDICAL
CENTER, STATED JUDGE HARRY D. GOLDMAN PRESENTLY A PATIENT AT
THE HOSPITAL. HE IS OUT OF INTENSIVE CARE UNIT AND UNDER
THE CARE OF [REDACTED] DEPARTMENT
OF SURGERY, AND [REDACTED] DEPARTMENT OF
MEDICINE. BOTH PHYSICIANS UNAVAILABLE. NYO AND NYU MEDICAL CENTER
ATTEMPTING TO LOCATE DOCTORS FOR AN OPINION AS TO WHEN JUDGE GOLDMAN
MAY BE INTERVIEWED

END PAGE ONE

50 OCT 23 1971
247

Mr. Tolson _____
Mr. Felt _____
Mr. Rosen _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Bates AB _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

BY

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EX-102
REC-65

44-50605-83

3

OCT 21 1971

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PAGE TWO

CLARENCE B. JONES WAS CONTACTED BY TELEPHONE AT THE

[REDACTED] NEW YORK. MR. JONES ADVISED

THAT ALL THE MATERIAL HE HAS REGARDING THE ATTICA
MATTER IS IN HIS OFFICE IN NYC, AND DUE TO THE FACT THAT HE
MUST MEET THE DEADLINE IN THE PUBLISHING AND PRINTING
OF HIS NEWSPAPER, THE AMSTERDAM NEWS, HE WILL NOT RETURN TO
NYC UNTIL THREE PM, OCTOBER TWENTY FIRST, SEVENTYONE.
AT THAT TIME HE WILL MEET WITH BUREAU AGENTS FOR INTERVIEW.

AUSTIN H. MC CORMICK, EXECUTIVE DIRECTOR, OSBORNE
ASSOCIATES, AND FORMER ASSISTANT DIRECTOR OF UNITED STATES
PRISONS, WAS CONTACTED AND HE STATED HE ARRIVED AT ATTICA ON
SEPTEMBER SEVENTEEN, SEVENTYONE. HE WAS IN DAILY CONTACT
WITH PRISONERS BUT NO ABUSES WERE REPORTED DIRECTLY TO
HIM. FOLLOWING A SEPTEMBER TWENTY EIGHTH, SEVENTY ONE
ARTICLE IN THE NEW YORK TIMES ALLEGING THE TORTURE OF AN
INMATE NAMED [REDACTED] HE INTERVIEWED THIS PRISONER IN
THE PRESENCE OF ATTICA PRISON PHYSICIAN [REDACTED] THE NEW YORK
TIMES ARTICLE CLAIMED [REDACTED] HAD BEEN SUBJECTED TO BLOWS AND
CIGARETTE BURNS.

END PAGE TWO

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PAGE THREE

MR. MC CORMICK STATED HE OBSERVED NO BURNS OR BRUISES ON

[REDACTED] AT THE TIME OF HIS INTERVIEW. [REDACTED]

[REDACTED] ATTICA.

[REDACTED] ASPIRA OF AMERICA, INC,

ADVISED THAT MR. LOUIS NUNEZ WAS IN WASHINGTON, DC AT AN UNKNOWN LOCATION THROUGH OCTOBER TWENTY FOUR, SEVENTYONE, BUT SHE WOULD ATTEMPT TO CONTACT HIM. MR. NUNEZ TELEPHONED THE NYO AND STATED HE WAS STAYING AT THE DUPONT PLAZA HOTEL, WASHINGTON, DC, TELEPHONE TWO ZERO TWO - FOUR EIGHT THREE - SIX ZERO ZERO ZERO, EXTENSION SEVEN FIVE THREE THREE. MR. NUNEZ WAS ADVISED OF THE NATURE OF THE INQUIRY AND^D HE STATED HE WAS A MEMBER OF THE GOLMAN^A PANEL AND HAD SOME INFORMATION REGARDING PRISONER ABUSE AT ATTICA WHICH WAS MOSTLY HEARSAY. HE STATED HE WOULD MAKE HIMSELF AVAILABLE FOR INTERVIEW BY THE WASHINGTON, DC OFFICE OF THE FBI.

THIS INFORMATION WAS FORWARDED TO WFO BY TELEPHONE AND WFO WILL HANDLE THIS INTERVIEW.

ROBERTO P. PATTERSON ADVISED THAT HE CONTACTED THREE HUNDRED PRISONERS BUT TOOK NO NOTES. HE SAID IN GENERAL THE
END PAGE THREE

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PAGE FOUR

PRISONERS TALKED OF A GAUNTLET IN THE AREAS OF ATTICA PRISON KNOWN AS HBZ UNIT AND "A" BLOCK. NYS SENATOR DUNN TOLD PATTERSON THAT HE AND [REDACTED]

[REDACTED] WITNESSED THE GAUNTLET IN "A" BLOCK.

[REDACTED] (PH) POINTED OUT TO PATTERSON A NYS POLICEMAN, BELIEVED TO [REDACTED], AS HAVING HIT HIM ON THE HEAD. NO OTHER GUARDS OR STATE POLICEMEN IDENTIFIED BY THE PRISONERS. AN INVENTORY OF CUTS, MARKS AND BRUISES IS IN THE POSSESSION OF [REDACTED]

[REDACTED] DEPARTMENT OF CORRECTION. ACCORDING TO PATTERSON.

[REDACTED] AT GREENHAVEN CORRECTIONAL FACILITY, STORMVILLE, NEW YORK, STATED HE HAD BEEN AN INMATE AT ATTICA DURING THE RIOT. HE STATED ON SEPTEMBER THIRTEENTH, SEVENTYONE, IN THE MORNING, HE WAS IN "D" BLOCK NEAR THE HANDBALL COURTS. HE SAW TWO SWEEPS BY A HELICOPTER DROPPING TEARGAS AND THEN THE STATE POLICE ENTERED THE YARD. HE HEARD SHOTS AND JUMPED INTO A SHELTER. TWO OR THREE MINUTES LATER HE LOOKED AT THE CATWALKS AREA AND SAW MANY MEN IN ORANGE RAINCOATS. THE HELICOPTER FLEW OVER AND GAVE INSTRUCTIONS

END PAGE FOUR

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PAGE FIVE

ON HOW TO SURRENDER. HE PUT HIS HANDS ON HIS HEAD AND AS HE WAS WALKING TOWARD OFFICERS TO SURRENDER, HE OBSERVED AN INMATE EXIT A TENT IN THE YARD AND GET SHOT BY A MAN WEARING AN ORANGE RAINCOAT, HELMET AND GAS MASK. AS

[REDACTED] WALKED PAST THE MAN WHO HAD BEEN SHOT HE OBSERVED A LARGE AMOUNT OF BLOOD. HE HEARD SPORADIC SHOOTING AND WAS INSTRUCTED TO SIT DOWN IN THE GROUND. HERE HE SAW AN OLDER PRISONER WHO HAD BEEN SHOT IN THE BACK. [REDACTED] CLAIMED HE WAS THEN KICKED IN THE CHEST BY A STATE TROOPER WHO HELD A COCKED PISTOL AND THREATENED TO SHOOT [REDACTED] IN THE HEAD IF HE MADE ANY FALSE MOVE WHILE REMOVING HIS BELT AS ORDERED BY THE STATE TROOPER. HE STATED SOMEONE THEN SHOUTED THAT THERE WERE STILL INMATES IN "D" BLOCK. AT THIS POINT OFFICERS THEN FIRED ON "D" BLOCK WITH TEAR GAS AND OTHER WEAPONS. [REDACTED] WAS ORDERED TO PASS FROM "D" BLOCK YARD TO "A" BLOCK YARD AND WAS CLUBBED WHILE PROCEEDING THROUGH A TUNNEL FROM ONE YARD TO THE OTHER. [REDACTED] STATED PRISONERS ENTERING "A" BLOCK WERE FORCED TO RUN A GAUNTLET.

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[REDACTED], FORMER ATTICA INMATE, COULD NOT BE
END PAGE FIVE

PAGE SIX

LOCATED FOR INTERVIEW. NEW YORK WILL CONTINUE EFFORTS TO
LOCATE AND INTERVIEW

EDWARD CARR, CHIEF ATTORNEY, LEGAL AID SOCIETY OF NYC,
ADVISED HIS SOCIETY INTERVIEWED APPROXIMATELY TWO HUNDRED
INMATES AT ATTICA. A GREAT NUMBER OF THESE CLAIMED THEY
WERE BEATEN BUT MR. CARR COULD NOT PROVIDE THE EXACT NAMES
OF THE INMATES WITH THE EXCEPTION OF SIX THE NAMES AND
LOCATIONS OF THESE INMATES WERE PROVIDED. MR. CARR STATED HE
WILL HAVE HIS SOCIETY'S FILES REVIEWED AND WILL ADVISE THE FBI
IN APPROXIMATELY A WEEK OF THE NAMES OF THE OTHER INMATES
INTERVIEWED BY THE LEGAL AID SOCIETY OF NYC.

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NEW YORK WILL CONTINUE EFFORTS TO INTERVIEW MR.
SILVERMAN OF THE NYC LEGAL AID SOCIETY.

FD THREE ZERO TWOS OF INTERVIEWS WILL FOLLOW TO BUFFALO.

END

~~HOLD FOR ONE~~

DRL FBI WASH DC

NR026 WF PLAIN

1123 PM NITEL 10-20-71 MWM

TO DIRECTOR

ALBANY

BUFFALO

NEW YORK

FROM WASHINGTON FIELD (44-861) FOUR PAGES

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY) NEW YORK. UNKNOWN VICTIMS DASH INMATES OF ATTICA, SUMMARY PUNISHMENT. CR.

RE BUREAU TELETYPE TO WFO, INSTANT DATE.

LOUIS NUNEZ, A MEMBER OF THE GOLDMAN PANEL, AND NATIONAL EXECUTIVE DIRECTOR OF ASPIRA OF AMERICA, INCORPORATED, WAS INTERVIEWED BY BUREAU AGENTS AT WASHINGTON, D.C. MR. NUNEZ RESIDES AT TWO SIX BONDSBURY LANE, MELVILLE, NEW YORK, AND HIS BUSINESS ADDRESS IS TWO FOUR FIVE FIFTH AVENUE, NEW YORK, NEW YORK. MR. NUNEZ PLANS TO RETURN TO NEW YORK ON AFTERNOON OF OCTOBER TWENTYONE, NEXT.

NUNEZ ADVISED THAT AS A MEMBER OF THE GOLDMAN PANEL, HE ARRIVED AT ATTICA PRISON ON FRIDAY, SEPTEMBER SEVENTEEN, LAST. HE STATED THAT HE HEARD MANY GENERAL COMPLAINTS OF

END PAGE ONE

Mr. Tolson _____
Mr. Felt _____
Mr. Rosen _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Bates _____
Mr. Tavel _____
Mr. Wilkins _____
Mr. Soyars _____
Miss Gandy _____

REC-39

MCT-8

EX-102

44-50605-84

22 OCT 22 1971

1971

PAGE TWO

BRUTALITY ON THE PART OF GUARDS AND STATE TROOPERS FROM THE PRISONERS. HE STATED, HOWEVER, THAT THE LARGE MAJORITY OCCURED ON THE DAYS OF SEPTEMBER THIRTEEN AND FOURTEEN, IMMEDIATELY AFTER THE FACILITY WAS RE-ENTERED AND SECURED BY THE AUTHORITIES. HE STATED THAT HE CAN RECALL NO SPECIFIC ALLEGATIONS OF BRUTAL ACTS OCCURRING AFTER THE ARRIVAL OF THE PANEL ON SEPTEMBER SEVENTEEN. HE NOTED THAT MOST OF THE COMPLAINTS FROM THE PRISONERS WERE GENERAL IN NATURE AND HE NOTED THAT AS THE PANEL WAS NOT SPECIFICALLY CONCERNED WITH INVESTIGATING THE PAST CONDUCT OF THE GUARDS, BUT RATHER IN RETURNING THE PRISON TO A NORMAL OPERATION AND INSURING PRESERVATION OF THE PRISONERS' RIGHTS, HE DID NOT ATTEMPT TO ABTAIN ALL OF THE DETAILS ON THE ALLEGED MISCONDUCT.

HE WAS ABLE TO FURNISH THE NAMES OF THE TWO INMATES WHO HE SPECIFICALLY RECALLED COMPLAINING TO HIM OF BRUTALITY ON THE PART OF THE GUARDS OR STATE TROOPERS.

END PAGE TWO

PAGE THREE

B. APPROX. 1943

[REDACTED], A PUERTO RICAN PRISONER, APPROXIMATELY TWENTYEIGHT YEARS OF AGE, TOLS NUNEZ THAT HE WAS BEATEN WITH A CLUB AND SUFFERED A BROKEN ARM AS A RESULT OF PHYSICAL ABUSE BY GUARDS AND/OR STATE TROOPERS. NUNEZ STATED HE BELIEVED THIS ALLEGED INCIDENT OCCURED ON EITHER SEPTEMBER THIRTEEN OF FOURTEEN, LAST.

B. APPROX. 1943

[REDACTED] ALSO A PUERTO RICAN PRISONER, APPROXIMATELY TWENTYTHREE YEARS OF AGE, ADVISED THAT HE ALSO RECIEVED A BEATING FROM GUARDS OR STATE TROOPERS. [REDACTED] ALSO STATED THAT APPROXIMATELY ONE WEEK AFTER DISORDER, HE WAS AWAKENED BY ONE OR MORE GUARDS WHO WERE SHINING A BRIGHT LIGHT ON HIM AND HEARD THE GUARD SAY, QUOTE THAT'S THE ONE. WE'LL GET HIM. UNQUOTE, OR SIMILAR WORDS.

[REDACTED] WAS UNABLE TO RECALL THE NAMES OF ANY GUARDS WHO ALLEGEDLY PARTICIPATED IN THESE ACTS OF BRUTALITY, BUT HE STATED THAT IF [REDACTED] WERE INTERVIEWED, THEY

END PAGE THREE

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PAGE FOUR

MIGHT BE ABLE TO PROVIDE INFORMATION.

HE COULD NOT RECALL SPECIFICALLY ANY ADDITIONAL
INSTANCES OF BRUTALITY RELATED TO HIM, OR THE NAMES OF ANY
OTHER INMATES WHO FURNISHED THIS INFORMATION TO HIM.

SIGNED STATEMENT OBTAINED FROM NUNEZ AND FD THREE ZERO
TWO WILL BE FORWARDED EXPEDITIOUSLY.

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b7C

[REDACTED], HOWARD UNIVERSITY, WASHINGTON, D.C.,
BEING INTERVIEWED NINE O'CLOCK, P.M. , INSTANT DATE, AND
RESULTS BEING TELEPHONICALLY FURNISHED TO BUFFALO OFFICE. P.

END

HLD

PLB FBI WA

OCT 21 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR003 BU PLAIN

4:30PM IMMEDIATE 10-20-71 NDN

TO DIRECTOR

NEW YORK

FROM SAC J.H. GAMBLE, BUFFALO (44-592) 3P

UNSUBS, ^①CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS-INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

RE BUREAU AIRTEL, OCT. NINETEEN, LAST.

[REDACTED] APPELLATE DIVISION, FOURTH DEPARTMENT OF SUPREME COURT, NEW YORK STATE, ROCHESTER, N.Y., ADVISED THAT JUSTICE HARRY D. GOLDMAN, PRESIDING JUSTICE, APPELLATE DIVISION, FOURTH DEPARTMENT OF SUPREME COURT OF NEW YORK, STATE OF NEW YORK, UNDERWENT VASCULAR SURGERY, OCT. THIRTEEN LAST AT THE NEW YORK UNIVERSITY MEDICAL CENTER, FIVE SIX SIX FIRST AVE., NEW YORK CITY AND IS PRESENTLY CONFINED TO INTENSIVE CARE UNIT AT THAT INSTITUTION. [REDACTED] STATED HE CONSIDERS JUSTICE GOLDMAN UNAVAILABLE FOR INTERVIEW.

[REDACTED] TO JUSTICE GOLDMAN, FURNISHED FOLLOWING DATA RE FIVE MEMBERS OF "GOLDMAN PANEL:"

DONALD H. GOFF, GENERAL SECRETARY, CORRECTIONAL ASSOCIATION

END PAGE ONE

55 OCT 29 1971

22 OCT 22 1971

6-B

PAGE TWO

OF NEW YORK, OFFICE ONE THREE FIVE EAST FIFTEENTH ST., NEW YORK CITY,
PHONE TWO ONE TWO - AL FOUR - NINE SEVEN ONE EIGHT.

CLARENCE JONES, PUBLISHER AND EDITOR, "AMSTERDAM NEWS," OFFICE
TWO THREE FOUR ZERO EIGHTH AVE., NEW YORK CITY, PHONE TWO ONE TWO
- TWO TWO TWO - SEVEN EIGHT ZERO ZERO.

DR. AUSTIN M. MAC CORMICK, EXECUTIVE DIRECTOR OF THE OSBORNE
ASSOCIATION, INC., A NON-PROFIT ASSOCIATION FOR CORRECTIONAL
IMPROVEMENT, OFFICE ONE ONE FOUR EAST THIRTIETH ST., NEW YORK CITY,
PHONE TWO ONE TWO - SIX EIGHT FIVE - NINE SEVEN TWO ZERO.

LUIS MUNIZ, NATIONAL EXECUTIVE DIRECTOR OF ASPIRA OF AMERICA,
INC., AN EDUCATIONAL AND LEADERSHIP ORGANIZATION FOR THE PUERTO RICAN
COMMUNITY, OFFICE TWO FOUR FIVE FIFTH AVE., NEW YORK CITY, PHONE TWO
ONE TWO - SIX EIGHT THREE - SIX ZERO FIVE FOUR.

ROBERT P. PATTERSON, JR., MEMBER, LAW FIRM OF PATTERSON, BELKNAP
AND WEBB, NEW YORK CITY, OFFICE ONE WALL ST., NEW YORK CITY, PHONE
TWO ONE TWO - NINE FOUR THREE - ONE THREE ZERO ZERO.

NEW YORK OFFICE WILL CONDUCT INTERVIEWS OF ABOVE INDIVIDUALS
IN ACCORDANCE WITH INSTRUCTION CONTAINED IN RE AIRTEL WITH EXCEPTION
END PAGE TWO

PAGE THREE

OF JUSTICE GOLDMAN.

NEW YORK SHOULD CONTACT CONSULTING PHYSICIAN AND DETERMINE IF
INTERVIEW OF GOLDMAN ADVISABLE OR DETERMINE FUTURE DATE WHEN
INTERVIEW MAY BE CONDUCTED.

P.

END

TMT FBI WA TU

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

OCT 20 1971

TELETYPE

Mr. Tolson _____
Mr. Felt _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Mr. Tele. Room _____
Mr. Holmes _____
Miss Gandy _____

NR004 AL PLAIN

10:03 PM NITEL 10-20-71 LVV

TO DIRECTOR

NEW YORK

BUFFALO (44-592)

FROM ALBANY (44-691) 5P

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS
DASH INMATES OF ATTICA, SUMMARY PUNISHMENT, CR.

REBUAIRTEL, OCTOBER NINETEEN, LAST AND BUFFALO TELETYPE
TO BUREAU, OCTOBER TWENTY, INSTANT.

REPRESENTATIVES OF NYS GOVERNOR NELSON A. ROCKEFELLER,
NYS DEPARTMENT OF CORRECTIONAL FACILITIES, SUPERINTENDENT OF
NYSP WILLIAM KIRWAN AND ADJUDANT GENERAL ROBERT MURPHY, NEW YORK
ARMY NATIONAL GUARD, ADVISED INVESTIGATION BEING CONDUCTED
AT SPECIFIC REQUEST OF ASSISTANT AG DAVID L. NORMAN, CIVIL
RIGHTS DIVISION, U.S. DEPARTMENT OF JUSTICE.

DEPUTY ATTORNEY GENERAL ROBERT E. FISCHER, ALBANY, N.Y.

END PAGE ONE

REC-39

44-50605-10
44-50605-86

EX-102

55 OCT 29 1971

22 OCT 22 1971

6-B

PAGE TWO

CONTACTED OCTOBER TWENTY, INSTANT. HE OFFERED COMPLETE COOPERATION FROM HIS OFFICE AND ADVISED AS FOLLOWS:

ALL KNOWN MOVIES AND STILL PICTURES ARE IN POSSESSION OF NYS AAG ANTHONY SIMMONETTI, ATTICA PRISON, ATTICA, N.Y.

MEDICAL REPORTS OF INMATES ARE AT ATTICA PRISON FOR INMATES STILL THERE, AND AT PENAL INSTITUTION WHERE FORMER ATTICA INMATES HAVE BEEN TRANSFERRED. AUTOPSY REPORTS IN CUSTODY OF AAG SIMMONETTI, SUPRA.

ORIGINAL TRANSCRIPT OF HEARING AND PLEADINGS AND LIST OF EXHIBITS INTRODUCED IN QUOTE INMATES OF THE ATTICA CORRECTIONAL FACILITY, ET AL VS. ROCKEFELLER, ET AL END QUOTE, ARE IN CUSTODY OF CLERK, USDC, BUFFALO, N.Y. COPIES OF THESE ARE IN POSSESSION OF NYS AAG MAX SPOONDT, ATTICA PRISON, ATTICA, N.Y.

NAMES AND ADDRESSES OF GOLDMAN PANEL ARE AS FOLLOWS:

DONALD H. GOFF, GENERAL SECRETARY OF THE CORRECTIONAL

END PAGE TWO

PAGE THREE

ASSOCIATION OF NEW YORK, ONE THREE FIVE EAST FIFTEENTH STREET, NEW YORK, N.Y., TELEPHONE: TWO ONE TWO DASH A L FOUR DASH NINE SEVEN ONE EIGHT.

CLARENCE JONES, PUBLISHER AND EDITOR OF THE AMSTERDAM NEWS, TWO THREE FOUR ZERO EIGHTH AVENUE, NEW YORK, N.Y., TELEPHONE TWO ONE TWO DASH TWO TWO TWO DASH SEVEN EIGHT ZERO ZERO; TWO ONE TWO DASH SEVEN FOUR NINE DASH FIVE THREE ZERO ZERO (PRINTING PLANT NUMBER).

DR. AUSTIN H. MAC CORMICK, EXECUTIVE DIRECTOR OF OSBORNE ASSOCIATION, INC., ONE ONE FOUR EAST THIRTIETH STREET, NEW YORK, TELEPHONE TWO ONE TWO DASH SIX EIGHT FIVE DASH NINE SEVEN TWO ZERO,

LUIS NUNEZ, NATIONAL EXECUTIVE DIRECTOR OF ASPIRA OF AMERICA, INC., TWO FOUR FIVE FIFTH AVENUE, NEW YORK, TELEPHONE TWO ONE TWO DASH SIX EIGHT THREE DASH SIX ZERO FIVE FOUR, NEW JERSEY OFFICE TWO ZERO ONE DASH SIX FOUR TWO DASH EIGHT
END PAGE THREE

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PAGE FOUR

ZERO EIGHT ZERO, HOME FIVE ONE SIX DASH SIX FOUR THREE DASH TWO FOUR ONE FOUR.

ROBERT P. PATTERSON, JR., PATTERSON, BELKNAP AND WEBB, ONE WALL STREET, NEW YORK, N.Y., ONE ZERO ZERO ZERO FIVE, TELEPHONE TWO ONE TWO DASH NINE FOUR THREE DASH ONE THREE SEVEN ZERO TWO.

OFFICIAL REPORTS OF NYSP IN CUSTODY OF AAG SIMMONETTI, SUPRA. OTHER AGENCIES INVOLVED IN RETAKING OF ATTICA FACILITY SEPTEMBER THIRTEEN, LAST, INCLUDE NIAGARA COUNTY, N.Y. SO, MONROE COUNTY, N.Y. SO, NEW YORK ARMY NATIONAL GUARD AND GUARDS OF NYS DEPARTMENT OF CORRECTION. IF OTHER LAW ENFORCEMENT AGENCIES INVOLVED AND HAVE FILED REPORTS, SUPERINTENDENT OF ATTICA PRISON WOULD HAVE IDENTITIES. NYS DEPARTMENT OF CORRECTION REPORT IS LOCATED AT ATTICA PRISON, ATTICA, N.Y.

END PAGE FOUR

PAGE FIVE

UNKNOWN TO FISCHER IF NIAGARA COUNTY, N.Y. SO OR MONROE
COUNTY, N.Y. SO FILED REPORTS.

NEW YORK ARMY NATIONAL GUARD REPORT BEING OBTAINED AND
WILL BE FORWARDED PROMPTLY.

END

October 21, 1971
GENERAL INVESTIGATIVE DIVISION

At the request of the Civil Rights Division, we are conducting limited but intensive investigation of possible abuse of inmates in connection with retaking of the Attica, New York, Correctional Facility (ACF) on 9/13/71.

Attached advises a [redacted] stated he treated hundreds of victims from Cell Block A, ACF, for superficial bruises incurred during the disorder. He claims he conferred professionally with about 90% of the approximately 1,000 inmates in Cell Block A and the majority of these inmates claim their injuries resulted from beatings immediately following the assault on the prison by law enforcement officers and while being returned to their cells. He was unable to furnish the identity of inmates making the allegations. Two inmates he treated for more serious injuries made no allegations against the officers.

Washington Field Office advised Louis Nunez, a member of Goldman Panel investigating ACF disorders, advised he heard many general complaints of brutality from inmates but most allegedly occurred immediately after ACF reentered and secured. He could recall no allegations of brutality after Panel members arrived on 9/17/71. He furnished identity of two inmates who made specific allegations of brutality.

Investigation continuing and you will be kept advised of pertinent developments.

RHB:mcp

CLM

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PST

RS
CMB
JMC

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ESM

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 20 1971

TELETYPE

NR006 BU PLAIN

6:27 PM URGENT 10-20-71 DAT

DIRECTOR

FROM SAC J.H. GAMBLE, BUFFALO (44-592) 3P RP

Unknown Subjects;

UNSUBS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY
(ACF), ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS -
INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

Reference My Teletypes

October

REMYTEL, TODAY; AND BUREAU AIRTEL OCT. NINETEEN LAST.

FOLLOWING IS SUMMARY OF INVESTIGATION, BUFFALO OFFICE.

IN ABSENCE OF SUPERINTENDENT VINCENT MANCUSI, [REDACTED]

[REDACTED] ACF, ADVISED TODAY OF INITIATION

OF INVESTIGATION.

Also Known As [REDACTED]

[REDACTED] INTERVIEWED ATTICA PRISON TODAY. [REDACTED]

[REDACTED] ADVISED WILL NOT DISCUSS MATTER WITHOUT HIS ATTORNEYS BEING

PRESENT. [REDACTED] REFUSED TO FURNISH THE IDENTITY OF ANY OF HIS

ATTORNEYS. [REDACTED] WHITE MALE, DOB [REDACTED] BUFFALO,

New York

[REDACTED] WAS RECEIVED AT ACF FEB. TWENTY-NINE, SIXTYEIGHT TO SERVE A

TERM OF [REDACTED]

END PAGE ONE

Mr. Tolson ☒
Mr. Felt ☒
Mr. Rosen ☒
Mr. Mohr ☒
Mr. Bishop ☒
Mr. Miller, ES ☒
Mr. Callahan ☒
Mr. Casper ☒
Mr. Conrad ☒
Mr. Dalbey ☒
Mr. Cleveland ☒
Mr. Ponder ☒
Mr. Tavel ☒
Mr. Walters ☒
Mr. Soyars ☒
Tele. Room ☒
Miss Holmes ☒
Miss Gandy ☒

b6
b7C

60 NOV 1 1971

PAGE TWO

[REDACTED]

[REDACTED] N.Y., ADVISED TODAY HE WAS [REDACTED] MEDICAL
TEAM WHICH TREATED VICTIMS OF RIOT AT ACF ON ^{September} ~~SEPT.~~ FIFTEEN AND
SIXTEEN LAST. IDENTITIES OF [REDACTED] OTHER DOCTORS OBTAINED. [REDACTED]
WITNESSED NO SPECIFIC CLUBBING INCIDENTS HIMSELF. HE STATED HE
TREATED HUNDREDS OF INMATES IN CELL BLOCK A AT ACF FOR SUPERFICIAL
BRUISES, WHICH WERE INCURRED DURING THE DISORDER AT ATTICA. HE
COULD FURNISH NO SPECIFIC NAMES OF INMATES WHO CLAIMED BEATINGS
BY CORRECTIONAL OR LAW ENFORCEMENT OFFICERS. HE DID NOT QUESTION
INMATES AS TO SPECIFIC TIME OR CIRCUMSTANCES UNDER WHICH THEY
RECEIVED INJURIES; HOWEVER, HE ESTIMATED INJURIES HE OBSERVED WERE
INCURRED WITHIN FORTYEIGHT HOURS PRIOR TO HIS EXAMINATION. [REDACTED]
STATED HE CONFERRED PROFESSIONALLY WITH ABOUT NINETY PER CENT OF
AN ESTIMATED ONE THOUSAND PRISONERS IN CELL BLOCK A. OF THOSE HE
CONTACTED, THE MAJORITY OF THE INMATES CLAIMED THAT THEIR INJURIES
RESULTED FROM BEATINGS IMMEDIATELY FOLLOWING THE ASSAULT ON THE
PRISON BY LAW ENFORCEMENT OFFICERS AND WHILE IN THE PROCESS OF
BEING RETURNED TO THEIR CELLS. [REDACTED] DID FURNISH NAMES OF TWO

END PAGE TWO

b6
b7C

PAGE THREE

INMATES BEING TREATED FOR MORE SERIOUS INJURIES: FIRST OF WHOM WAS DISORIENTED AND HAD POSSIBLE FRACTURED CHEEK BONE AND THE SECOND HAD A BULLET ANKLE INJURY. NEITHER OF THE LATTER TWO INDIVIDUALS MADE ALLEGATIONS OF BEING BEATEN BY CORRECTIONAL OR LAW ENFORCEMENT OFFICERS.

BASED ON TELEPHONIC INFO FURNISHED BY ALBANY OFFICE, CONTACT BEING ESTABLISHED WITH ASSISTANT NEW YORK STATE (NYS) ATTORNEY GENERAL ANTHONY SIMONETTI AND [REDACTED] TO NEW YORK b6 b7C
STATE DEPUTY ATTORNEY GENERAL ROBERT E. FISCHER, WHO HAVE OFFICES AT ATTICA PRISON, AS WELL AS WITH APPROPRIATE PRISON OFFICIALS TO OBTAIN, IF AVAILABLE, MOVIE AND STILL PICTURES CONCERNING THE RETAKING OF THE FACILITY IN ITS AFTERMATH, ALL MEDICAL REPORTS OF INMATES WHO WERE EXAMINED AFTER THE RETAKING OF THE FACILITY, TOGETHER WITH REPORTS MADE BY CORRECTIONAL OFFICERS, LAW ENFORCEMENT AGENCIES, AS WELL AS THE TRANSCRIPTS OF HEARING, PLEADINGS AND LIST OF EXHIBITS, WHICH ARE ALLEGEDLY IN THE POSSESSION OF [REDACTED] AT ATTICA.

CASE BEING AFFORDED CONTINUOUS AND EXPEDITIOUS ATTENTION.
LEADS BEING SET OUT BY TELEPHONE OR TELETYPE AND NO SPECIFIC
LEADS BEING SET OUT HEREIN.

P.

E N D

HOLD FOR ONE

TMT FBI WA

NR013 WF PLAIN

520 PM URGENT 10-21-71 MWM

TO DIRECTOR

ALBANY

BUFFALO

NEW YORK

FROM WASHINGTON FIELD (44-861) ONE PAGE

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Gandy

McCluskey
"Blay"

UNSUBS; CORRECTIONAL OFFICES, ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK, UNKNOWN VICTIMS - INMATES
OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

RE WFO TELEPHONE CALL TO BUFFALO, OCTOBER TWENTY PAST.

[REDACTED] FREEDMAN'S HOSPITAL, HOWARD UNIVERSITY,
WASHINGTON, D.C., CONTACTED AT NINE FORTY-FIVE PM AT HER
RESIDENCE, [REDACTED] D.C.,
DID NOT HAVE WITH HER NAMES OF DOCTORS AND NURSES MENTIONED IN
ITEM FIVE OF DEPARTMENTAL MEMO DATED OCTOBER NINETEEN PAST.

b6
b7C

[REDACTED] SECTION, UNI-
VERSITY OF BUFFALO, NEW YORK, HOSPITAL MENTIONED IN ITEM FOUR
OF SAME MEMO, KNEW THE IDENTITIES OF DOCTORS AND NURSES.

[REDACTED] WILL BE IN COURT AND UNAVAILABLE ON OCTOBER
TWENTY-ONE INSTANT, BUT WILL BE INTERVIEWED AT HER OFFICE AT
TEN AM OCTOBER TWENTY-TWO NEXT.

END

EBR FBI WASH DC

55 OCT 29 1971
547

22 OCT 22 1971

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 21 1971

TELETYPE

NR 011 AL PLAIN

11:12 PM NITEL 10-21-71 LVV

TO DIRECTOR

BUFFALO (44-592)

FROM ALBANY (44-691) 2P

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Lender	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA, SUMMARY PUNISHMENT, CR.

MC Gowan
BLAY

RE ALBANY TELETYPE TO BUREAU OCTOBER TWENTY LAST.

FD DASH THREE ZERO TWO CONTAINING INTERVIEW OF
BRIGADIER GENERAL ROBERT F. MURPHY, ADJUTANT GENERAL OF
NEW YORK STATE, WHO MADE AVAILABLE NEW YORK ARMY NATIONAL
GUARD REPORT RE INSTANT MATTER FORWARDED TO BUFFALO BY
AIRTEL OCTOBER TWENTY ONE INSTANT.

NEW YORK STATE POLICE (NYSP) SUPERINTENDENT WILLIAM
KIRWAN ADVISED THAT ALL NYSP FILM AND REPORTS ARE TO BE
TURNED OVER BY NYS DEPUTY ATTORNEY GENERAL ROBERT E. FISCHER

END PAGE
PAGE ONE

REC-39

44-50605-89
44-50605-9

EX-102

22 OCT 22 1971

55 OCT 29 1971

6104

6-15

PAGE TWO

TO FBI AT ATTICA, NEW YORK PER AGREEMENT BETWEEN KIRWAN AND
FISCHER. -P-

END

HOLD

KPT FBI WASH

C

RECEIVED
COMMUNICATIONS SECTION

OCT 21 1971

TELETYPE

NR006 BU PLAIN

640PM URGENT 10-21-71 PXM

TO DIRECTOR

FROM SAC J. H. GAMBLE, BUFFALO (44-522) 2P

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

UNKNOWN SUBJECTS;

~~UNSUBS~~, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL

FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS -

INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

Reference My Teletype October
REMYTEL, OCT. TWENTY, LAST.

FOLLOWING IS SUMMARY OF INVESTIGATION TODAY:

ATTEMPT TO OBTAIN MEDICAL RECORDS OF INMATES FROM ATTICA
PRISON TREATED AT E. J. MEYER MEMORIAL HOSPITAL, BUFFALO, ^{New York,} N.Y.,

FOLLOWING RIOT DEVELOPED INFO THAT HOSPITAL AUTHORITIES WOULD

NOT RELEASE RECORDS WITHOUT SUBPOENA OR WAIVER FROM PATIENTS

TO RELEASE INFO. DEPARTMENTAL ATTORNEY AND ^{U. S. ATTORNEY} ~~USA~~, BUFFALO,

b6

b7C

DISCUSSING PREFERABLE WAY TO OBTAIN RECORDS.

BUFFALO, ADVISED THAT HE ACTED AS
OVERALL MEDICAL ADMINISTRATOR AT ATTICA DURING THE PERTINENT

PERIOD AND HAD IN HIS POSSESSION A QUANTITY OF RECORDS PER-

TAINING TO INMATES TREATED. HE STATED HE WOULD MAKE THEM

END OF PAGE ONE

22 OCT 22 1971

50 OCT 29 1971

247

6-17

PAGE TWO

AVAILABLE TO THIS OFFICE ON OCT. TWENTYTWO, NEXT. HE ALSO FURNISHED THE NAMES OF THE SURGICAL TEAM THAT WORKED WITH HIM AT ATTICA DURING THE PERTINENT PERIOD.

ARRANGEMENTS HAVE BEEN MADE TO HAVE ALL MOVIE AND STILL PICTURES CONCERNING THE RETAKING OF THE FACILITY AND ITS AFTERMATH AND STATEMENTS AND REPORTS FROM NYSP OFFICERS MADE AVAILABLE TO THIS OFFICE THROUGH NEW YORK STATE DEPUTY ATTORNEY GENERAL ROBERT FISCHER AT ATTICA.

CONTACTS ARE BEING MADE WITH OTHER AREA LAW ENFORCEMENT AGENCIES WHO HAD MEN AT THE SCENE OF THE RIOT TO OBTAIN AVAILABLE REPORTS AND PHOTOGRAPHS, IF THEY POSSESS SAME.

P.

END

KPT FBI WASH

CLR

10/23/71

PLAINTEXT

1 - Mr. McGowan

TELETYPE

IMMEDIATE

TO: SACS, WFO (44-861)
BUFFALO (44-592)

ATTENTION: SAC GAMBLE

FROM: DIRECTOR, FBI

REC-55

44-50605-91

UNKNOWN SUBJECTS; CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY),
NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA; SUMMARY
PUNISHMENT - CIVIL RIGHTS.

REWFOTEL OCTOBER TWENTY-TWO, LAST.

b6
b7C

WFO INTERVIEW [REDACTED] AND

OTHERS WHO ACCOMPANIED [REDACTED] TO ATTICA FOR THE
NAMES OF DOCTORS AND NURSES WHO MAY HAVE STATED THEY
WITNESSED PRISONERS' INJURIES. ALL SUCH DOCTORS AND NURSES
NAMED SHOULD BE INTERVIEWED.

CLM:mcp
(3)

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 23 1971

TELETYPE

MAIL ROOM ☐ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR012 WF PLAIN

430PM URGENT 10-22-71FMK

TO DIRECTOR

OCT 22 1971

TELETYPE

Mr. Tolson_____
Mr. Felt_____
Mr. Rosen_____
Mr. Mohr_____
Mr. Bishop_____
Mr. Miller, ES_____
Mr. Callahan_____
Mr. Casper_____
Mr. Conrad_____
Mr. DeLoach_____
Mr. Cleveland_____
Mr. Ponder_____
Mr. Bates_____
Mr. Tavel_____
Mr. Walters_____
Mr. Soyars_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____

BUFFALO (44-592) ATTENTION : SAC J.H. GAMBLE
FROM WASHINGTON FIELD (44-861) 3P

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS
INMATES OF ATTICA; SUMMARY PUNISHMENT -CIVIL RIGHTS.

RE WFO TEL TO DIRECTOR, OCTOBER TWENTYONE LAST.

[REDACTED] A MEMBER OF THE FACULTY OF
HOWARD UNIVERSITY MEDICAL SCHOOL, WDC, ADVISED THAT AT THE
REQUEST OF DR. EMERSON WALDEN, PRESIDENT OF THE NATIONAL
MEDICAL ASSOCIATION (NMA), SHE AND TWO OTHER INDIVIDUALS,

b6
b7C

[REDACTED]
[REDACTED]
[REDACTED] HOWARD UNIVERSITY, WDC, WENT TO THE ATTICA
CORRECTIONAL FACILITY AS REPRESENTATIVES OF THAT ASSOCIATION
TO OBSERVE AND ADMINISTER MEDICAL TREATMENT TO THE INMATES.
PRIOR TO DEPARTING WDC, SHE WAS ASSURED THAT THE DELEGATION
WOULD BE ADMITTED INTO THE PRISON. UPON ARRIVING AT ACF ON
SEPTEMBER ELEVEN LAST, HER DELEGATION WAS DENIED ADMITTANCE
END PAGE ONE

REC-55

44-50605-91

tel to WFO
Buff
10/22/71 chm

PAGE TWO

TO THE PRISON. THEY STAYED AT ACF UNTIL MONDAY, SEPTEMBER THIRTEEN LAST, DEPARTED FOR WDC WHEN IT BECAME OBVIOUS THAT THEY WERE NOT GOING TO BE ADMITTED TO THE PRISON.

ON SEPTEMBER FOURTEEN LAST, [REDACTED] WAS REQUESTED TO RETURN TO ACF WITH ANY AVAILABLE MEDICAL HELP TO ADMINISTER TO THE INMATES. UPON ARRIVING AT ACF ON WEDNESDAY, SEPTEMBER FIFTEEN LAST, THEY WERE AGAIN DENIED ADMITTANCE. WHILE AT ACF, ON THIS SECOND OCCASION, SHE SPOKE TO SEVERAL DOCTORS THAT HAD COME INTO THE FACILITY TO RENDER MEDICAL TREATMENT. THESE DOCTORS TOLD HER THAT SEVERAL OF THE INMATES HAD BEEN BEATEN BY THE GUARDS AND STATE TROOPERS. THE DOCTORS WITH WHOM SHE SPOKE INCLUDED [REDACTED] IN CHARGE OF MINORITY AFFAIRS, UNIVERSITY OF BUFFALO SCHOOL OF MEDICINE, BUFFALO, NEW YORK. [REDACTED] STAFF MEMBER, UNIVERSITY OF BUFFALO. [REDACTED] UNIVERSITY OF BUFFALO, AND [REDACTED] NEW YORK.

b6
b7C

END PAGE TWO

PAGE THREE

[REDACTED] ADVISED THAT SHE DID NOT WITNESS ANY
INMATES BEING BEATEN BY PRISON GUARDS OR NEW YORK STATE
POLICEMEN.

LEADS: BUFFALO. AT BUFFALO. WILL LOCATE AND INTERVIEW

b6
b7C

[REDACTED] FOR INFORMATION THEY
HAVE CONCERNING BRUTALITY BY PRISON GUARDS AND STATE TROOPERS.

AT BATAVIA, NEW YORK. WILL INTERVIEW [REDACTED]
FOR INFORMATION HE HAS CONCERNING BRUTALITY BY PRISON GUARDS
AND STATE TROOPERS.

ADMINISTRATIVE.

FD THREE ZERO TWO BEING FORWARDED BY FACSIMILE TO BUFFALO.

END

BJM FBI WASH DC

October 23, 1971
GENERAL INVESTIGATIVE DIVISION

At the request of the Civil Rights Division, we are investigating the possible abuse of inmates in connection with the retaking of the Attica, New York, Correctional Facility on 9-13-71.

Attached sets forth summary of investigation conducted 10-22-71, which points out photographs of activities at prison in connection with securing facility obtained from Monroe, County, New York, Sheriff's Office and are being duplicated. Of 26 inmates hospitalized as result of riot, three subsequently died, 14 furnished release of medical records, and three refused to furnish release or names of attorneys. Six desired to consult attorney before signing waiver.

Contact with additional law enforcement agencies having representative at scene of riot during pertinent period continuing. New York State Police advised all requested records will be made available 10-23-71.

Investigation continuing and you will be kept advised of pertinent developments.

CLM
RJP:erg

Handwritten initials: "FEB 7" and "R/S"
COPY MADE FOR MR. TOLSON

NR006 BU PLAIN

8:40 PM URGENT 10-22-71 DAT

TO DIRECTOR

FROM SAC J. H. GAMBLE, BUFFALO (44-592)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 22 1971

TELETYPE

Mr. Tolson ☒
Mr. Belmont ☒
Mr. Rosen ☒
Mr. Mohr ☒
Mr. Bishop ☒
Mr. Miller, ES ☒
Mr. Callahan ☒
Mr. Casper ☒
Mr. Conrad ☒
Mr. Dalbey ☒
Mr. Cleveland ☒
Mr. Ponder ☒
Mr. Tavel ☒
Mr. Walters ☒
Mr. Soyars ☒
Tele. Room ☒
Miss Holmes ☒
Miss Gandy ☒

UNKNOWN SUBJECTS;

~~UNSUBS~~, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY,

New York;

(ACF), ATTICA (WYOMING COUNTY), N.Y.; UNKNOWN VICTIMS -

INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

Reference My Teletype October

~~REMYTEL OCT.~~ TWENTYONE LAST AND TELEPHONE CALL TODAY.

FOLLOWING IS SUMMARY OF INVESTIGATION TODAY:

COLORING PHOTOGRAPHS OF ACTIVITIES AT PRISON IN CONNECTION
SHERIFF'S OFFICE
WITH SECURING FACILITY OBTAINED FROM MONROE COUNTY SO AND BEING
DUPLICATED.

OF TWENTYSIX PRISON INMATES HOSPITALIZED, E.J. MEYER MEM-
ORIAL HOSPITAL, BUFFALO, N.Y., AS A RESULT OF RIOT, THREE
SUBSEQUENTLY DIED. FOURTEEN INMATES HAVE FURNISHED RELEASE OF
MEDICAL RECORDS, THREE HAVE REFUSED AND REFUSED TO FURNISH
ATTORNEYS NAMES, WHILE SIX HAVE INDICATED THEY DESIRE TO CONSULT
WITH ATTORNEY BEFORE SIGNING WAIVER. EFFORTS BEING MADE TO CON-
TACT ATTORNEYS FOR LATTER SIX TO OBTAIN NECESSARY RELEASE.

BASED ON INTERVIEW BY WASHINGTON FIELD OF [REDACTED]

Washington, D.C.

[REDACTED] WDC, TODAY, INVESTIGATION UNDERWAY TO LOCATE AND IN-
TERVIEW DOCTORS WHOSE NAMES WERE FURNISHED BY [REDACTED] CONTACT
WITH ADDITIONAL LAW ENFORCEMENT AGENCIES HAVING REPRESENTATIVES

AT SCENE OF RIOT DURING PERTINENT PERIOD HAS CONTINUED. 3 OCT 27 1971

New York State Police

WSP ADVISE ALL REQUESTED RECORDS WILL BE MADE AVAILABLE

OCT TWENTYTHREE NEXT.

54 NOV 1 1971

P.

END

b6
b7C

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalby	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR001 BU PLAIN

705PM URGENT 10-23-71 PXM

TO DIRECTOR

FROM SAC J.H. GAMBLE, BUFFALO (44-592) 1P

UNSUBS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK ; UNKNOWN VICTIMS -
INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

REMYTEL, OCT. TWENTYTWO, LAST.

FOLLOWING IS SUMMARY OF INVESTIGATION TODAY:

FOUR DOCTORS WHOSE NAMES WERE FURNISHED BY [REDACTED]

[REDACTED] INTERVIEWED AND FURNISHED NO FIRST HAND INFO RE
BEATINGS, BUT OBSERVED SOME INJURIES SUFFERED BY INMATES.

TWO ADDITIONAL WAIVERS RECEIVED FROM INMATES ATTORNEYS
FOR ACCESS TO EDWARD J. MEYER MEMORIAL HOSPITAL RECORDS.

ATTORNEYS FOR THREE INMATES REFUSED TO PERMIT WAIVERS.

ARRANGEMENTS MADE TO OBTAIN HOSPITAL RECORDS OF INMATE PATIENTS
WHO FURNISHED WAIVERS THIS EVENING.

APPROXIMATELY FIFTY PER CENT OF FILMED MATERIAL AND
RECORDS IN POSSESSION OF NYSP OBTAINED.

EFFORTS CONTINUING TO OBTAIN REMAINDER.

P.

END

TMT FBI WA

58 NOV 24 1971

Montreal

b6
b7C

EX-101
REC-2

44-50605-93

10 OCT 28 1971

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Cleveland	_____
Mr. Gonder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR004 WF PLAIN

140 PM URGENT 10-26-71 SDM

TO DIRECTOR

NEW YORK

BUFFALO

(ATTENTION SAC J. H. GAMBLE) (44-592)

FROM WASHINGTON FIELD (44-861) (P)

UNKNOWN SUBJECTS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY) NEW YORK, UNKNOWN VICTIMS-INMATES OF ATTICA, SUMMARY PUNISHMENT-CIVIL RIGHTS.

RE BUFFALO TELETYPE TO DIRECTOR OCTOBER TWENTY FOUR LAST

[REDACTED] ACCOMPAINED [REDACTED] TO ATTICA

CORRECTIONAL FACILITY ON SEPTEMBER FIFTEEN LAST AS A MEMBER OF THE NATIONAL MEDICAL ASSOCIATION DELEGATION FROM WASHINGTON D.C. ON INSTANT DATE [REDACTED]

b6
b7C

[REDACTED] HOWARD UNIVERSITY SCHOOL

OF MEDICINE, ADVISED THAT [REDACTED] IS IN NEW YORK CITY ON AN ELECTIVE ASSIGNMENT. HIS EXACT LOCATION IS UNKNOWN TO HOWARD UNIVERSITY AT THIS TIME BUT [REDACTED] BELIEVES [REDACTED] IS

WORKING WITH [REDACTED] AT COLUMBIA PRESBYTERIAN HOSPITAL, ONE SIX SEVEN STREET AND BROADWAY, NEW YORK, NEW YORK

LEADS. NEW YORK. AT NEW YORK, NEW YORK. WILL LOCATE AND INTERVIEW TATE AND SUREP TO BUREAU AND BUFFALO
END

54 NOV 3 1971

GXC FBI WASHDC

October 20, 1971

GENERAL INVESTIGATIVE DIVISION

At request of Civil Rights Division, we are conducting limited investigation of possible abuse of inmates in connection with retaking of the Attica, New York, Correctional Facility on 9-13-71. Investigation requested by Department includes contacting state officials for pertinent information, obtaining any pictures taken of the retaking of the Facility, obtaining medical reports on injured inmates, interviewing several doctors who reportedly had received complaints or observed inmate abuse, and obtaining any official reports of the retaking activities.

Pursuant to the Director's instructions, this investigation is under the personal supervision of SAC Gamble of the New York Office who is in Buffalo handling it.

Attached sets forth appropriate instructions from SAC Gamble to offices involved initiating the investigation.

Investigation is being vigorously pursued and you will be kept advised of pertinent developments.

EJM:smp

Handwritten notes and signatures:
CLM
J
R
DTS
CMB/s
JLM

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 20 1971

TELETYPE

Viper

Mr. Tolson	
Mr. Felt	
Mr. Rosen	
Mr. Mohr	
Mr. Bishop	
Mr. Miller, ES	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Ponder	
Mr. Bates	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

NR002 BU PLAIN

12-05 PM IMMEDIATE 10-20-71 JVV

TO DIRECTOR

ALBANY

NEW YORK

WASHINGTON FIELD

FROM SAC J. H. GAMBLE,

BUFFALO (44-592) 3P

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA
(WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA,
SUMMARY PUNISHMENT, ^{CIVIL RIGHTS} CR.

CR
RE BUREAU AIRTEL, OCT. NINETEEN, LAST AND BUFFALO TELEPHONE
CALLS TO BUREAU, ALBANY, NEW YORK AND WASHINGTON FIELD, TODAY.

ALBANY, NEW YORK AND WASHINGTON FIELD SHOULD IMMEDIATELY
INITIATE INVESTIGATION OUTLINED IN REFERENCED BUREAU AIRTEL.

IN ADDITION, ALBANY SHOULD DETERMINE IF OFFICIAL REPORTS SET
FORTH IN ITEM SEVEN, PAGE FOUR OF RE BUREAU AIRTEL ARE IN

POSSESSION OF ROBERT FISCHER AND OBTAIN COPIES OR DETERMINE
LOCATION OF SUCH REPORTS IF NOT IN FISCHER'S POSSESSION.

END PAGE ONE

58 NOV 2-1971

EX-101 REC-2 44-50605-95
MR. ROSEN FOR THE DIRECTOR

PAGE TWO

ALBANY SHOULD ALSO ADVISE GOVERNOR NELSON ROCKEFELLER;
SUPERINTENDENT WILLIAM KIRWIN, NYSP; COMMISSIONER OF CORRECTIONS
RUSSELL G. OSWALD; AND COMMANDING GENERAL, NEW YORK STATE
NATIONAL GUARD OF INITIATION OF INVESTIGATION, POINTING OUT
INVESTIGATION BEING CONDUCTED AT SPECIFIC REQUEST OF ~~AAG~~ ^{ASSISTANT ATTORNEY GENERAL}
DAVID L. NORMAN, CIVIL RIGHTS DIVISION, U.S. DEPT. OF JUSTICE.

NEW YORK WILL IMMEDIATELY INTERVIEW [REDACTED]
INMATE OF GREENHAVEN CORRECTIONAL FACILITY, STORMVILLE, N.Y.

b6
b7C

WASHINGTON FIELD WILL INTERVIEW [REDACTED]
HOWARD UNIVERSITY HOSPITAL, WASHINGTON, D.C. AND IMMEDIATELY
FURNISH NAMES AND ADDRESSES OF DOCTORS AND NURSES WHO HAVE
WITNESSED INJURIES TO PRISONERS.

BUFFALO WILL ADVISE SUPERINTENDENT VINCENT MANCUSI,
ATTICA PRISON, MAJOR JOHN MONAGHAN (NA), COMMANDING OFFICER,
TROOP "A", NYSP, BATAVIA, N.Y.

IN ACCORDANCE WITH BUREAU INSTRUCTIONS, ALL INQUIRIES
FROM NEWS MEDIA OR OTHER SOURCES SHOULD BE ANSWERED THAT THIS
INVESTIGATION IS BEING CONDUCTED AT THE SPECIFIC REQUEST OF
AAG DAVID L. NORMAN, CIVIL RIGHTS DIVISION, U.S. DEPARTMENT
OF JUSTICE, AND NO FURTHER COMMENT SHOULD BE MADE.

END PAGE TWO

PAGE THREE

ALBANY, NEW YORK AND WASHINGTON FIELD SHOULD SUBMIT A SUMMARY TELETYPE EACH DAY TO THE BUREAU AND BUFFALO.

IN ACCORDANCE WITH BUREAU INSTRUCTIONS, RESULTS OF INVESTIGATION SHOULD BE INCORPORATED INTO FD THREE ZERO TWOS WHERE PERTINENT, AND EXPEDITIOUSLY FORWARDED TO THE BUFFALO OFFICE FOR INCLUSION IN A REPORT.

SUFFICIENT MANPOWER SHOULD BE ASSIGNED TO ASSURE ALL LEADS ARE COVERED MOST EXPEDITIOUSLY.

P.

END

GXC FBI WASHDC

CC-MR. BATES

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 29 1971

TELETYPE

Mr. Tolson _____
Mr. Felt _____
Mr. Rosen _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Miller, ES _____
Mr. Callahan _____
Mr. Casper _____
Mr. Conrad _____
Mr. Dalbey _____
Mr. Cleveland _____
Mr. Ponder _____
Mr. Bates _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR004 BU CODE

638 PM NITEL 10-29-71 EWL

TO DIRECTOR

NEW YORK

FROM BUFFALO (44-592) 1P

UNSUBS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY (ACF),
ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS - INMATE OF
ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

b6

b7C

RE SAC J. H. GAMBLE TEL TO BUREAU, OCT. TWENTYFIVE, LAST.

[REDACTED], E. J. MEYER
MEMORIAL HOSPITAL, BUFFALO, N. Y. MADE AVAILABLE TODAY HAND-
WRITTEN RECORDS AND NOTES MADE BY VARIOUS MEDICAL PERSONNEL AFTER
TOURING CELLS BLOCKS, CAPTIONED FACILITY, AND TURNED OVER TO HIM.

[REDACTED] NOT AVAILABLE FOR INTERVIEW UNTIL TUESDAY, NOV.

TWO, NEXT DUE TO PROFESSIONAL COMMITMENTS. BUFFALO WILL INTERVIEW
AT EARLIEST POSSIBLE TIME AND SUREP. RECORDS BEING COPIED.

P.

E N D

EJF FBI WASH DC

EX-11 REC-30 44-50605-96
11 NOV 2 1971

6-6pm

10/27/71.

GENERAL INVESTIGATIVE DIVISION

In connection with investigation of alleged abuse of inmates during retaking of Attica, New York Correction Facility, Civil Rights Division requested we obtain all specific information of alleged prisoner abuse in possession of Legal Aid Society of New York.

Attached sets forth that Edward Carr, Chief of Legal Aid Society, New York, has stated he will furnish list of names of inmates who furnished statements but will not provide any other information pending receipt of answers to three items he has set forth in a letter to our New York Office. These are: (1) He desires a statement as to scope and purpose of investigation. (2) Reasons for request for statements. (3) Use to which this material may be put. Upon receipt of answers, Carr will contact inmates concerning release of their statements and handle accordingly.

This was referred to Civil Rights Division which advised that on receipt of letter from Carr, they would contact him to resolve. New York Office being advised to inform Carr that contents of letter have been furnished to Civil Rights Division, which will contact him. No further action need be taken by Bureau at this time. SAC Gamble in Buffalo is being advised of action taken.

EJM:ejs

ESM

RS/clm

CWB/clm

7-2577

7

OK

gmm

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 27 1971

TELETYPE

Viper 3

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	ES
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR013 NY PLAIN

145 PM 10-27-71 JLW

TO DIRECTOR - IMMEDIATE

BUFFALO 44-592 ATT. SAC GAMBLE - URGENT

WASHINGTON FIELD - NITEL

ALBANY - NITEL

FROM NEW YORK 44-2086 3P

Unknown subjects

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY,

ATTICA (WYOMING COUNTY), NEW YORK, UNKNOWN VICTIMS -

INMATES OF ATTICA, SUMMARY PUNISHMENT - CIVIL RIGHTS.

b6
b7C

Telephone

RE NEW YORK TEL CALLS TO BUREAU AND BUFFALO, OCTOBER
TWENTYSEVEN, NINETEEN SEVENTYONE. *EX-102* REC-32

ON OCTOBER TWENTYSIX, NINETEEN SEVENTYONE, ATTEMPT

WAS MADE TO CONTACT CARE OF OFFICE OF

 COLUMBIA PRESBYTERIAN MEDICAL CENTER,

END PAGE ONE

MR. ROSEN FOR THE DIRECTOR

PAGE TWO

ONE HUNDRED SIXTY SEVENTH STREET AND BROADWAY, NEW YORK,
NEW YORK. THE [REDACTED] WOULD NOT
INDICATE WHERE [REDACTED] COULD BE LOCATED, BUT STATED SHE WOULD
GET A MESSAGE TO HIM TO CONTACT THE FBI, NEW YORK.

ON OCTOBER TWENTYSEVEN, NINETEEN SEVENTYONE, A
FURTHER ATTEMPT WAS MADE TO CONTACT [REDACTED] THROUGH THE
OFFICE OF [REDACTED] AT COLUMBIA PRESBYTERIAN
MEDICAL CENTER. THE [REDACTED]
STATED SHE HAD, THE DAY BEFORE, GIVEN TO [REDACTED] THE MESSAGE
TO CONTACT THE FBI, NEW YORK.

IN VIEW OF THE TWO ATTEMPTS TO CONTACT [REDACTED] WITHOUT
SUCCESS, AND THE FACT THAT HE WAS NOTIFIED OF THE ATTEMPTS,
Unless advised to the contrary by the Bureau
UACB, NO FURTHER ATTEMPTS WILL BE MADE TO CONTACT [REDACTED]

ON OCTOBER TWENTYSEVEN, NINETEEN SEVENTYONE, SPECIAL
AGENT [REDACTED] RECEIVED A LETTER DATED OCTOBER
TWENTYSIX, NINETEEN SEVENTYONE, FROM EDWARD Q. CARR, JR.,
ATTORNEY IN CHIEF OF THE LEGAL AID SOCIETY, NEW YORK,
NEW YORK. LETTER SENT VIA FACSIMILE TO BUREAU AND BUFFALO.
END PAGE TWO

b6
b7C

b6
b7C

b6
b7C

PAGE THREE

NEW YORK DIVISION IS ACKNOWLEDGING SUCH LETTER,
WHEREIN IT WILL ADVISE MR. CARR THAT HIS REQUEST IS BEING
FORWARDED TO DAVID L. NORMAN, ASSISTANT ATTORNEY GENERAL,
CIVIL RIGHTS DIVISION, UNITED STATES DEPARTMENT OF JUSTICE,
AND THAT HE WILL BE ADVISED OF THE RESULTS.

END

ATTACHMENT SENT VIA FACSIMILE

MSE

FBI WASH DC

cc: W. Bates



TELEPHONE:
BARCLAY 7-2755

THE LEGAL AID SOCIETY
ELEVEN PARK PLACE
NEW YORK, N. Y. 10007

EDWARD Q. CARR, JR., ATTORNEY-IN-CHIEF
MARY B. TARCHER, ASSISTANT ATTORNEY-IN-CHIEF

ORISON S. MARDEN
Chairman of the Board

LEON SILVERMAN
President

PETER H. KAMINER
ROBERT MCKAY
SHELDON OLIVENSIS
POWELL PIERPOINT
Vice-Presidents

HAROLD H. HEALY, JR.
Treasurer

LEONARD B. SAND
Assistant Treasurer

SAMUEL W. MURPHY, JR.
Secretary

MRS. EDWARD B. EDWARDS
Assistant Secretary

October 26, 1971

[Redacted]
Federal Bureau of Investigation
New York Division
201 East 69th Street
New York, New York 10021

Dear [Redacted]

This will acknowledge your request for copies of the statements taken since September 17 by Legal Aid lawyers from prisoners who were at Attica State Prison on September 13, 1971. As [Redacted] and I agreed last Wednesday, we will be getting to you as soon as possible a list of those prisoners whom our staff lawyers have interviewed.

We are taking steps forthwith to put to the prisoners interviewed your request of last Friday for copies of all their statements. In that connection it will be helpful to give to them in your own words a statement concerning the purpose and scope of your enquiry, the reason for your request for their statements and the uses to which they may be put. I would hope to have your statement by the morning of October 29.

As we pointed out to you last week the Legal Aid staff will not be able to continue as counsel for any individual Attica prisoner because of the many conflicts of interest that have developed in our interview with them. A group of New York bar

44-50605-97
44-50605-97

October 26, 1971

b6

b7C

associations is putting together a panel of lawyers to take on the role of counsel for any prisoners who desire further representation. I expect that the replies to your request will not be forthcoming until after those lawyers have had an opportunity to consult with their clients.

Please let us know of any further ways in which we might assist in your enquiries.

Very truly yours,

Edward Q Carr Jr.

EDWARD Q. CARR, JR.
Attorney-in-Chief C.W.

NY

EQC:pw

cc: Hon. David L. Norman

HAND DELIVERY

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 24 1971

TELETYPE

NR001 BU PLAIN

5:06 PM URGENT 10-25-71 DAT

TO DIRECTOR

FROM SAC J. H. GAMBLE, BUFFALO (44-592) 1P

UNSUBS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY,
(ACF), ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS -
INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

ALL MEDICAL RECORDS OBTAINED BUFFALO DIVISION WITH
EXCEPTION OF CRYPTIC MEDICAL NOTATIONS MADE BY SOME DOCTORS
WHICH ARE IN POSSESSION OF [REDACTED] REQUESTED
TIME TO ANALYZE THESE NOTES, WHICH HE STATED MAY OR MAY NOT
HAVE SIGNIFICANCE AND WILL MAKE AVAILABLE WHEN TIME PERMITS.
HE HAS BEEN ADVISED OF URGENCY OF MATTER. INDIVIDUAL CORRECTION
OFFICERS' REPORTS LOCATED AND BEING DUPLICATED.

PARTIAL LIST OF MOVIE AND STILL PICTURES OBTAINED FROM
STATE POLICE THROUGH JUDGE ROBERT FISCHER. REMAINDER TO
BE MADE AVAILABLE OCT. TWENTYSEVEN, NEXT.

REPORT COMPLETED WITH EXCEPTION OF ABOVE PHOTOS. SUB
SUBMISSION DELAYED UNTIL SUCH PHOTOS OBTAINED.

P.

END

EBR FBI WASH DC

58 NOV 9 - 1971

Mr. Tolson_____
Mr. Felt_____
Mr. Rosen_____
Mr. Mohr_____
Mr. Bishop_____
Mr. Miller, ES_____
Mr. Callahan_____
Mr. Casper_____
Mr. Conrad_____
Mr. Dalbey_____
Mr. Cleveland_____
Mr. Ponder_____
Mr. Bates_____
Mr. Tavel_____
Mr. Walters_____
Mr. Soyars_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____

b6
b7C

15 NOV 2 1971

TELETYPE

Mr. Mohr	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

McGowan
B. J. [unclear]

NR 001 BU PLAIN
230PM URGENT 10-24-71 PXM
TO DIRECTOR
NEW YORK
WASHINGTON FIELD
FROM SAC J. H. GAMBLE, BUFFALO (44-592) 1P
UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN
VICTIMS - INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL
RIGHTS.

RE WASHINGTON FIELD TELETYPE, OCTOBER TWENTYTHREE LAST.
WHEN ADDRESS OF [REDACTED] HAS BEEN DETERMINED, NEW
YORK IMMEDIATELY INTERVIEW AND SUREP TO BUREAU AND BUFFALO.
P.

W

b6
b7C

END
MSE
FBI WASH DC

REC 10 44-592-94

NOV 2 1971

Blay

6- [unclear]

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 23 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 008 PLAIN

11:29 PM URGENT 10-23-71 ASW

TO DIRECTOR

BUFFALO ATT: SAC GAMBLE

FROM WASHINGTON FIELD

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK, UNKNOWN VICTIMS
INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS.

RE BUREAU TELETYPE TO WFO INSTANT DATE.

[REDACTED]
OF THE NATIONAL MEDICAL ASSOCIATION DELEGATION AT ATTICA
CORRECTIONAL FACILITY INTERVIEWED THIS DATE AND UNABLE TO
PROVIDE NAMES OF ANY DOCTORS AND NURSES WHO MAY HAVE STATED
THEY WITNESSED PRISONERS' INJURIES.

[REDACTED] OF THIS DELEGATION, CURRENTLY IN
NEW YORK CITY, EXACT WHEREABOUTS UNKNOWN. WILL BE ON ASSIGN-
MENT IN NEW YORK FOR NEXT THREE MONTHS. [REDACTED] ADDRESS WILL
BE AVAILABLE TUESDAY, OCTOBER TWENTY, NINETEEN SEVENTY ONE.

WFO WILL SET OUT LEAD BY SEPARATE COMMUNICATION TO HAVE
[REDACTED] INTERVIEWED AT NEW YORK WHEN ADDRESS OBTAINED.

END

BR FBI WASH DC

McDonnell
Beggs

WV

SEV 5404 REC 16

50605-10

NOV 2 1971

Wartendal

6-8pm

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 10/27/71	INVESTIGATIVE PERIOD 10/20-27/71
TITLE OF CASE UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York; UNKNOWN VICTIMS - Inmates of Attica		REPORT MADE BY THOMAS M. SHAUGHNESSY	TYPED BY :caw
		CHARACTER OF CASE SUMMARY PUNISHMENT CIVIL RIGHTS	

REFERENCE: Bureau airtel to Buffalo, dated 10/19/71.

ENCLOSURES

TO BUREAU

Enclosed for the Bureau are the following:

Four (4) copies of handwritten medical reports from [redacted]

(B-1)

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC	AUTO	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED: [Signature]
SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

ENCLOSURE ON BULKY RAMP
Bureau (and 1/48)

5 - Buffalo (44-592)

Enclosures: CRD 10-28-71

Enclosures: SRH 10-28-71

Dissemination Record of Attached Report

Notations

Agency	CRD			
Request Recd.	10-28-71	10-28-71	10-28-71	10-28-71
Date Fwd.	10-28-71	10-28-71	10-28-71	10-28-71
Fwd.	10-28-71	10-28-71	10-28-71	10-28-71

44-50605-59	REC-47
17 OCT 29 1971	ST 101
STAT SECT.	

SN OV 10 10 71

COVER PAGE

BU 44-592

ENCLOSURES (Continued)

Four (4) copies of transcripts of autopsies performed by [redacted] regarding MELVIN DUVALL GRAY; WILLIAM ALLEN; WILLIE WEST; ALLEN DURHAM; CARLOS PRESCOTT; KENNETH MALLOY; EMANUEL JOHNSON; MILTON MERRYWEATHER; MELVIN WARE

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding JOSE MENTIGO

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding ROBERT J. HANIGAN

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding JOHN BARNES

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding JAMES ROBINSON

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding HAROLD THOMAS

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding BERNARD DAVIS

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding LORENZO MC NEIL

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding SAMUEL MELVILLE

(B-2b)

Four (4) copies of autopsy report of [redacted] regarding CHARLES LUNDY

(B-2b)

BU 44-592

ENCLOSURES (Continued)

Four (4) copies of autopsy report
of [REDACTED] regarding
RAFAEL JASQUEZ

(B-2b)

b6
b7C

Four (4) copies of autopsy report
of [REDACTED] regarding
WILLIE FULLER

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
ELLIOTT BARKLEY

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
ALFRED L. WILLIAMS

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
THOMAS HICKS

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
SANTO SANTIAGO

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
RAYMOND RIVERA

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
BARRY J. SCHWARTZ

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
MICHAEL PREVATERA

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
MARTIN GIDELL

(B-2b)

Four (4) copies of autopsy report
of [REDACTED] regarding
ALLEN DURHAM

(B-2b)

BU 44-592

ENCLOSURES (Continued)

Four (4) copies of medical reports
regarding Attica Correctional Facility
(ACF) from Captain [redacted]

(B-3)

Four (4) copies each of 17 medical
reports of prisoners at Meyer
Memorial Hospital

(B-4)

Four (4) reports of [redacted]
[redacted] 10/15/71
New York State Police regarding riot

(C-1)

Four (4) reports of Chief Inspector
G. L. INFANTE, 10/8/71 regarding ACF-
Police Action

(C-1)

Four (4) reports of [redacted]
[redacted] 10/7/71, Abstract of Events
at ACF

(C-1)

Four (4) reports of [redacted]
[redacted] 10/6/71, Activities Attica
State Prison Detail

(C-1)

Four (4) reports of Major J. W. MONAHAN,
10/1/71, ACF-Riot Intelligence.

(C-1)

Four (4) reports Major J. W. MONAHAN,
9/19/71 - ACF

(C-1)

Four (4) reports of Captain [redacted]
[redacted] 9/17/71, Briefing - State
Police Plan of Action - 9/13/71, ACF

(C-1)

Four (4) copies each of 270
interviews of New York State
Police officers by other New
York State Police officers

(C-1a)

Four (4) copies of report of New
York State Correction Department

(C-2)

BU 44-592

ENCLOSURES (Continued)

Four (4) copies of New York State
Army and Air National Guard Report (C-3)

Four (4) copies of Monroe County
Sheriff's Office report (C-4)

Four (4) copies of 436 New York State
Correction Officer's reports plus one
Miscellaneous Corrolating Material (C-5)

Four (4) copies of three State Park
Police Reports (C-6)

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will maintain contact with [redacted] relative
to the notes, handwritten and otherwise, in his possession,
prepared by numerous other doctors relative to their obser-
vations of prisoners, and promptly submit them to the Bureau.

ADMINISTRATIVE

Exhibit A

Two motion pictures, eight millimeterer
taken 9/13/71 (A-1)

128 color photographs taken by Monroe
County, New York Sheriff's Office,
numbered MC 1 through MC 128 (A-2)

346 - 35 millimeter color clides,
known as Trays A through E, taken
by the New York State Police (A-2)

89 duplicate and dud slides of the
above 346 (A-2)

BU 44-592

ADMINISTRATIVE (Continued)

143 color photographs, known as "E"
Series, taken by New York State Police (A-2)

60 - 3"x5" color photographs taken
by New York State Police Officer
[redacted] (A-2)

118 - 35 millimeter color slides (A-2)

122 - 8"x10" black and white
photographs (A-2)

461 - 8"x10" black and white
photographs (A-2)

Two video tapes, taken 9/13/71 (A-3)

Two video tapes received 10/27/71
regarding 9/13/71 incident (A-3)

These exhibits have been submitted separately
to the FBI Laboratory by courier.

Exhibit B - Medical Records

1. From [redacted]
2. Autopsy reports
 - a. Hostages
 - b. Prisoners

BU 44-592

ADMINISTRATIVE (Continued)

3. From Captain [redacted] re ACF
medical reports

b6
b7C

Exhibit C - Official Law Enforcement Reports

1. New York State Police Command Reports
 - 1a. New York State Police officer reports
2. New York State Correction Department Report
3. New York State Army and Air National Guard Report
4. Monroe County Sheriff's Office Report
5. 436 New York State Correction Officer's reports plus one miscellaneous corrolating material
6. Three State Park Police Reports

New York airtel to Bureau, 10/22/71, enclosed the complete court transcript of a hearing and all pleadings introduced in the case entitled "INMATES OF THE ACF, ET AL, VERSUS ROCKEFELLER, ET AL, HEARING IN USDC, WDNY, AT BUFFALO, NEW YORK."

The New York Office has been instructed by SAC JOSEPH H. GAMBLE to interview Judge HARRY D. GOLDMAN on 10/29/71 at the New York University Medical Center. GOLDMAN is presently a surgical patient at that institution.

The New York Office has also been instructed by SAC GAMBLE to maintain contact with LEAN SILVERMAN, Legal Aid Society, New York City, New York and obtain all specific information in his files regarding the alleged beatings or shooting of inmates.

b6
b7C

Photographic copy of medical records obtained from [redacted] New York State Department of Correction Facilities were sent to the Bureau by airtel, dated 10/22/71, by the Albany Office.

Five copies of this report have been designated for Buffalo since it is possible that after the Civil Rights

BU 44-592

ADMINISTRATIVE (Continued)

Division of the Department has reviewed the information in this report, requests for further investigation will be made at Albany, Buffalo and New York City.

No copy of this report has been designated for the USA, Buffalo, since request for the limited investigation emanated from the Department. However, if the Department requests that the USA subsequently be furnished with a copy, the Buffalo Office will be in a position to furnish this copy.

All persons contacted in this investigation were advised that the investigation was being conducted at the specific request of [] Civil Rights Division, U.S. Department of Justice.

Photographic copy of medical records obtained from [] New York State Department of Correctional Facilities submitted to the Bureau by the Albany Office by airtel, dated 10/22/71.

On October 20, 1971, the Albany Office furnished the following information:

Representatives of New York State Governor NELSON A. ROCKEFELLER, New York State Department of Correction Facilities, Superintendent of New York State Police WILLIAM KIRWAN and Adjutant General ROBERT MURPHY, New York State Army National Guard, were advised that this investigation was being conducted.

On October 20, 1971, [] Albany, New York, was advised that this investigation was being conducted and he offered his complete cooperation.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

THOMAS M. SHAUGHNESSY

Office: Buffalo, New York

Date:

10/27/71

Field Office File #:

44-592

Bureau File #:

Title:

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS -
Inmates of Attica

Character:

SUMMARY PUNISHMENT, CIVIL RIGHTS

~~Synopsis~~

Synopsis:



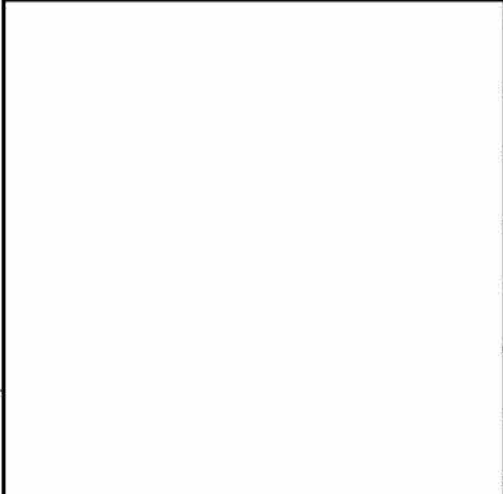
At approximately 9:00 AM on 9/9/71, over 1200 inmates of the Attica Correctional Facility (ACF), Attica, N.Y., took command of the facility, and captured 38 hostages - guards and civilian employees. These 1200 inmates comprised slightly more than 50 per cent of the entire prison population. The ACF is comprised of four major cell blocks known as "A," "B," "C," and "D." During 9/9/71, prison employees and NYSP officers were able to secure about half the prison. The rioting inmates controlled blocks "B" and "D." Negotiations with the inmates were maintained from 9/9-12/71. Prison officials agreed to 28 demands of the inmates. The inmates refused to release the hostages and the prison officials refused to grant total amnesty from all potential criminal prosecution stating that they did not have this authority. Convicts made weapons. At 9:46 AM on 9/13/71, N.Y. State Corrections Commissioner RUSSELL G. OSWALD ordered the NYSP to commence assault on Cell Blocks "B" and "D." The primary assault was handled by 270 NYSP. Firearms were discharged by these officers. Autopsy reports revealed that nine hostages and 28 inmates died of gunshot wounds. One guard had died before the assault due to injuries suffered at the hands of the inmates and three inmates were found who had died of multiple knife wounds inflicted by other inmates prior to the assault. Governor NELSON ROCKEFELLER of New York appointed

BU 44-592

Synopsis: a panel under Judge HARRY D. GOLDMAN, AD,
(Continued) Fourth Department, New York State Supreme
Court, to insure the constitutional rights
of the prisoners were protected. Five members
of the GOLDMAN panel interviewed. Three inmates interviewed,
along with several doctors who treated the injured inmates
after the riot, and three members of the Legal Aid Society
of New York City, N.Y., who interviewed a number of the
inmates subsequent to the riot. Motion pictures, still
photographs, video tapes of the assault and the aftermath
obtained. Medical records and autopsy reports, along
with copies of legal proceedings instituted by the inmates
after the riot obtained. Official reports of law enforce-
ment agencies participating in the retaking of ACF obtained.

- P -

TABLE OF CONTENTS

	<u>Page</u>
A) BACKGROUND OF RIOT	8
Photo of Attica and descriptive data -----	9 - 10
B) INTERVIEWS WITH MEMBERS OF GOLDMAN PANEL	
(a)  -----	14
(b) -----	15 - 16
(c) -----	17 - 19
(d) -----	20 - 21
(e) -----	22 - 25
C) INTERVIEWS WITH PRESENT AND FORMER INMATES	
(a)  -----	28
(b) -----	29 - 32
(c) -----	35 - 36
D) INTERVIEWS WITH MEMBERS OF MEDICAL PROFESSION	
(a)  -----	37 - 45
(b) -----	46 - 48
(c) -----	49 - 52
(d) -----	55 - 57
(e) -----	58 - 60
(f) -----	61 - 62
(g) -----	63
(h) -----	64

b6
b7C

TABLE OF CONTENTS (CONTINUED)

	<u>Page</u>
E) INTERVIEW WITH MEMBERS OF LEGAL PROFESSION	
(a) Edward Carr -----	66 - 72
(b) Lean Silverman -----	73
(c) [REDACTED] -----	74 - 76
F) INVESTIGATION TO LOCATE FILMS, MEDICAL RECORDS, TRANSCRIPTS OF LEGAL PROCEEDINGS AND OFFICIAL REPORTS OF LAW ENFORCEMENT AGENCIES	
(a) Motion Picture Films -----	77 - 79
(b) Still Photographs -----	80 - 81
(c) Video Tapes -----	82 - 83
(d) Medical Records -----	84 - 122
(e) Transcript of Legal Proceedings -----	123 - 125
(f) Official Reports of Law Enforcement Agencies -----	126 - 166

BU 44-592

Details: This is a limited investigation relative to the events occurring after 9:46 AM on September 13, 1971, at the Attica Correctional Facility (ACF), Attica, New York. It is to be noted that 9:46 AM on September 13, 1971, was the time that the New York State Police and other law enforcement officers started the retaking of the ACF, which had been taken over by the inmates on September 9, 1971.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] New York
State Correctional Facility, Attica, New York, was advised
of the nature and purpose of the investigation being
conducted.

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[redacted] advised that he was [redacted]
[redacted] Superintendent VINCENT R. MANCUSI, who
was currently on a short vacation.

On 10/20/71 at Attica, New York File # Buffalo 44-592
by SA [redacted]
SA CARL E. UNDERHILL/CEU:caw Date dictated 10/23/71

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- 6 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

Major JOHN F. MONAHAN, Commanding Officer, Troop
"A," New York State Police, was contacted and was advised
by SA [] that investigation was being initiated
in this matter.

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On 10/20/71 at Batavia, New York File # Buffalo 44-592

by SAs [] and
[]/JLB:caw Date dictated 10/21/71

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- 7 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/24/71

[redacted] Attica Correctional Facility (ACF), made available an aerial photograph of the ACF and pointed out the primary aspects of the facility, including those which were damaged and/or destroyed by the prisoners. He noted that the cell blocks are numbered as they were constructed. He pointed out the Times Square area, which is the terminus of the four passageways connecting the various blocks.

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He noted "D" Yard as being the area where the riotous prisoners assembled. He identified further buildings which had been damaged, noting that Building Number One was the Vocational School Facility. It was burned, but not until after the prisoners had used the grinders and other tools to fashion weapons.

Building Number Two was the Chapel-Auditorium from which the prisoners pulled the tear gas containers in the cells and burned the storage area.

Building Number Three was the Machine and Carpenter Shop, which was completely "gutted" and it is believed structurally damaged to probably be unusable.

Building Numbers Four and Five were storage areas and the upper floors in both buildings were damaged by fire.

Building Number Six is a Paint Shop. This was not too badly damaged because when they tried to burn a paint bake oven, the CO₂ fire extinguisher system came on and the prisoners thought it was tear gas and all ran out of the building.

[redacted] advised that the door locks and control panels in "B" and "D" Cell Blocks will undoubtedly all have to be replaced. He commented that as near as the Correction Department could count, they believed in the neighborhood of 19,000 windows had been broken out. [redacted] said that the total damage to the facility has been estimated to be between \$3,000,000 and \$4,000,000.

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b7C

On 10/20/71 at Attica, New York File # Buffalo 44-592

SAs CARL E. UNDERHILL and
by [redacted] CEU:caw Date dictated 10/24/71

- 8 -

BU 44-592

ENCLOSURES (Continued)

Autopsy Reports

(B-2)

Four (4) copies of autopsy reports
of [REDACTED]

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
JOHN J. D'ARCANGELO, JR.

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
RONALD D. WERNER

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
RICHARD J. LEWIS

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
CARL VALONE

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
HERBERT W. JONES

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
ELMER G. HARDIE

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
WILLIAM QUINN

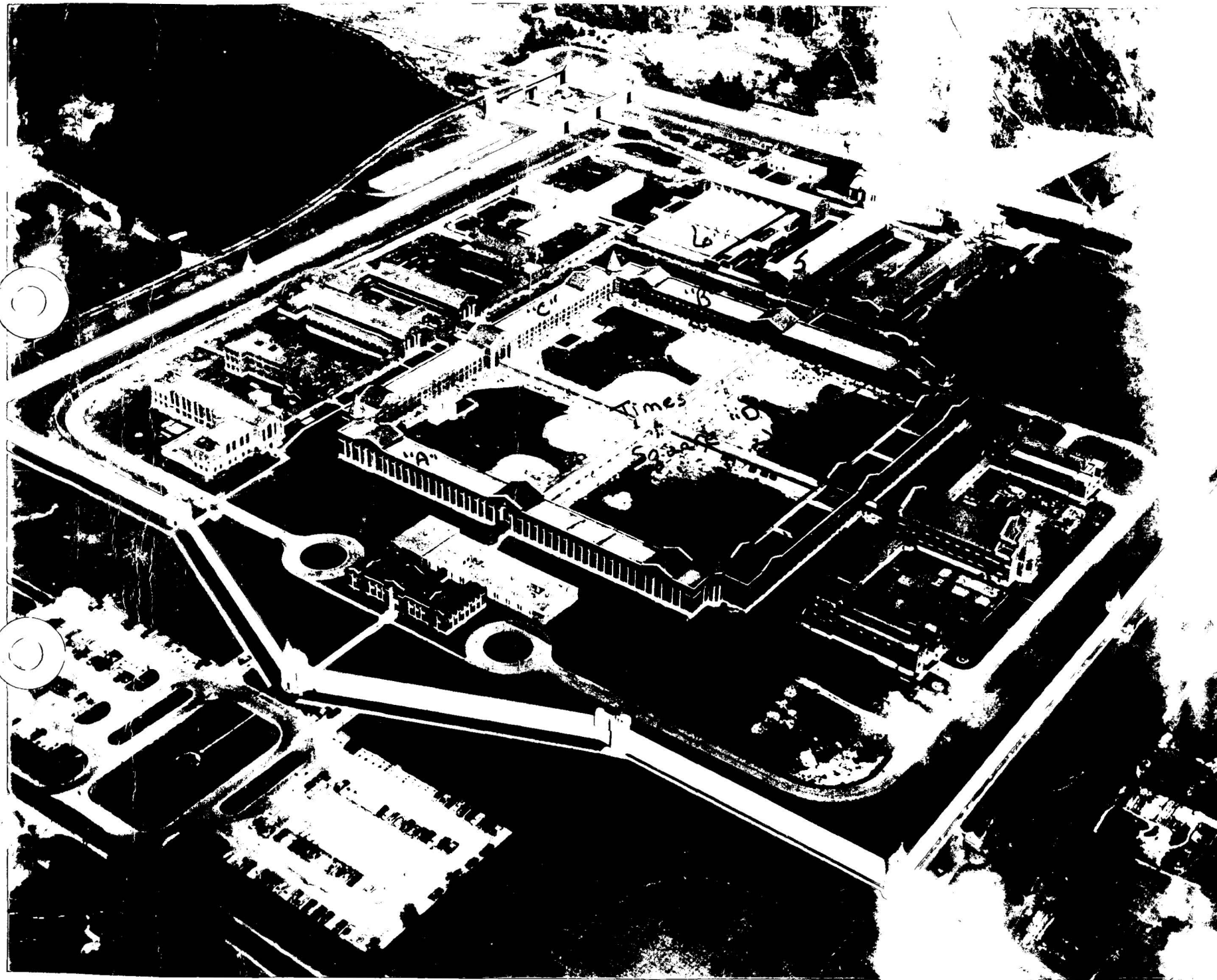
(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
JOHN C. MONTELEONE

(B-2a)

Four (4) copies of autopsy report
of [REDACTED] regarding
ELON F. WERNER

(B-2a)



The following chronology of events was obtained from [redacted] Attica Correctional Facility (ACF), Attica, New York:

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At approximately 9:00 AM on September 9, 1971, over 1200 inmates of ACF, Attica, New York, took command of the facility and captured 38 hostages. The hostages were guards and civilian employees of the facility. These 1200 inmates, comprised slightly more than 50 per cent of the entire prison population.

During September 9, 1971, prison employees and New York State Police officers were able to secure one half of the prison. The rioting inmates controlled Cell Blocks "B" and "D".

Negotiations with the inmates commenced on September 9, 1971, under the direct supervision of New York Corrections Commissioner RUSSELL G. OSWALD.

Prison officials agreed to 28 demands of the inmates. The enumerated demands of the prisoners is contained in the administrative report prepared by the Corrections Department, which is set forth in Exhibit C-2.

The inmates refused to release the hostages and the prison officials refused to grant total amnesty from all potential criminal prosecution, stating that they did not have this authority.

During the days of September 9, 1971 through September 12, 1971, prison officials saw that many of the convicts were fashioning weapons at either the Machine Shop or the Vocational School, where they had access to material, as well as grinding tools.

At 7:45 AM on September 13, 1971, Commissioner OSWALD sent a written communication to the rioting convicts, stating that he had granted their request for food, clothing, bedding, water and medical aid. This letter further reflected that he had acceded to their request for a Federal Court order against administrative reprisals. This letter also stated that he had acceded

:caw

to 28 major demands and that the prisoners continued to hold hostages. A copy of this letter is set forth in Exhibit C-2.

It was the refusal of the prisoners to release the hostages that required the decision to retake the prisoner controlled position of the Correctional Facility.

At 9:46 AM on September 13, 1971, Commissioner OSWALD ordered the New York State Police to commence an assault on Cell Blocks "B" and "D". The primary force making the assault consisted of 270 New York State Police officers. Firearms were discharged by these officers. Autopsy reports revealed that nine hostages and 28 inmates died of gunshot wounds.

One guard had died before the assault due to injuries suffered at the hands of the inmates, and three inmates were found who had died of multiple knife wounds inflicted by other inmates prior to the assault.

[redacted] further stated that all of the nine hostages who died of gunshot wounds were dressed in prison garb and their feet and hands were bound.

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[redacted] stated that on September 15, 1971, Governor NELSON ROCKEFELLER released a statement on behalf of Commissioner OSWALD disclosing that the investigation of the riot at ACF has passed ~~into the control of~~ New York State Deputy Attorney General [redacted]

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/22/71

[redacted] to the Honorable
[redacted] Appellate Division,
Fourth Department of the Supreme Court, State of New
York, furnished the following information relating to
the current addresses of the five members of the "Goldman
Panel:"

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DONALD H. GOFF, General Secretary, Correctional Association of New York; representative to the United Nations, N.G.O. Secretary, Social and Economic Committee; faculty member of Rutgers School of Alcoholic Studies; Chief of the Bureau of Classification and Education of New Jersey; Chief of the Bureau of Correction in New Jersey; Chief Consultant of the U.S. Senate Subcommittee on Juvenile Delinquency, served as a member of an inquiry panel appointed by Presiding Justices Christ and Stevens to investigate juvenile detentions in New York City; founder and Executive Director of the Morrow Association of Correction and Vice President of the Association thereafter. Office: 135 East 15th Street, New York City, 212-AL4-9718.

CLARENCE JONES, Esq., publisher and editor of the Amsterdam News; before entering the publishing field, Mr. JONES had a substantial legal practice in New York City. He was one of the negotiating team members at Attica during the period of the prison disturbance. He is an active leader of and spokesman for the black community of New York City and the State. Office: 2340 Eighth Avenue, New York City, 212-222-7800. Printing Plant: 212-749-5300 [redacted].

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Dr. AUSTIN H. MAC CORMICK, Executive Director of the Osborne Association, Inc., a non-profit association for correctional improvement, one of the oldest and most distinguished groups with a long history of penal reforms. His entire life has been devoted to the field of penology and prison reform. He has occupied the positions of Assistant Director of the U.S. Bureau of Prisons, Department of Justice; Commissioner of the New York City Department

On 10/20/71 at Rochester, New York File # Buffalo 44-592

SAs [redacted] and
by [redacted] PAJ:caw Date dictated 10/21/71

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b7C

- 12 -

BU 44-592

-2-

of Correction; President of the American Correctional Association; Special assistant to the Undersecretary of War in Charge of Parole and Clemency; Professor of Criminology and Acting Dean of the University of California at Berkeley; director of the investigation of penal conditions in Arkansas; member of President Kennedy's Commission on Narcotics and Drug Abuse; Chairman of special civilian committee of the U.S. Army Conference on Confinement System; recipient of numerous honors, including the President's Medal of Merit in 1947. Office: 114 East 30th Street, New York City, Osborne Association, Inc., [redacted] Dr. MAC CORMICK, 212-685-9720.

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LUIS NUNEZ, National Executive Director of Aspira of America, Inc., an educational and leadership organization for the Puerto Rican community; former member of the Board of Higher Education of New York City; member of the Board and steering committee of the National Urban Coalition; member of the National Center of Voluntary Action; soon will serve on a National Committee on Prison Reform. Office: 245 Fifth Avenue, New York City, 212-683-6054; [redacted]

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ROBERT P. PATTERSON, JR., member of the law firm of Patterson, Belknap & Webb of New York City; past president of the Legal Aid Society of New York, charged with the responsibility for the Public Defender system of New York City; assistant U.S. attorney; counsel to the New York State Crime Commission; member of the Lawyers' Committee for Civil Rights; member of the Commission on the Courts. Office: 1 Wall Street, New York City, 212-943-1300.

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FEDERAL BUREAU OF INVESTIGATION

10/21/71

Date

AUSTIN H. MC CORMICK, Executive Director, Osborne Associates, 114 East 30th Street, New York City, advised that he is a member of the Goldman Panel and that he proceeded to the State Prison at Attica, New York, on September 17, 1971. He advised that although he was in daily contact with the prisoners that no abuses were reported directly to him. However, he advised that following the printing of an article in the "New York Times" of September 28, 1971, alleging torture type activity on prisoner FRANK SMITH in an affidavit filed in court by Buffalo Legal Aid Lawyer [redacted] that he proceeded to interview SMITH in the presence of Attica Prison [redacted]. He advised that the "New York Times" article alleged that SMITH had been taken out of his cell and placed on a table with a football under him and that cigar and cigarette burns were inflicted on his stomach and penis as well as general beatings. He stated that SMITH when interviewed stated that he was not taken out of the cell, but that on the way back to the cell after the police action he was placed on the floor with four or five other unidentified inmates and that a football was placed under his chin and that he and the others were beaten. MC CORMICK advised that [redacted] examined SMITH, but that no noticeable burns or bruises were observed at that time on his body. MC CORMICK advised that at the time he interviewed SMITH, SMITH was confined in the third floor of Housing Building Z Unit at Attica.

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BU - 44 - 592

On 10/20/71 at New York, New York File # NY 44-2086

by SAS JOSEPH F. PHELAN & [redacted] GWV:lac Date dictated 10/21/71

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- 14 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/21/71

Mr. LOUIS NUNEZ was contacted at Room 533, DuPont Plaza Hotel, DuPont Circle, N.W., Washington, D.C.

Mr. NUNEZ advised that he is a member of the Goldman Panel, appointed at the request of Governor Nelson Rockefeller of New York State. He explained that the function of this panel was to visit the Attica Correctional Facility at Attica, New York, and expedite the return of the facility to normal operations and to insure that the constitutional rights of the inmates were preserved. He noted that control of the facility was regained by prison authorities on September 13, 1971, however, the panel did not arrive at Attica until Friday, September 17, 1971.

Mr. NUNEZ, after being advised of the purpose of the interview, provided the following signed statement which he said incorporated his best recollection of the events that were related to him by inmates concerning alleged brutality on the part of Attica guards or New York State Troopers.

"October 20, 1971
Washington, D.C.

"I, LOUIS NUNEZ, age 40, reside at 26 Bondsburry Lane, Melville, New York 11746, and I am National Executive Director of Aspira of America, Incorporated, an educational and leadership organization for the Puerto Rican community. My business address is 245 Fifth Avenue, New York, New York. I make this free and voluntary statement to [redacted] who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I make this statement willingly because I want to make known, for the purpose of investigation, information obtained from my communication with prisoners of the Attica Correctional Facility concerning acts of brutality and maltreatment upon

Interviewed on 10/20/71 at Washington, D.C. BU- 44 File # WFO 44-832
by SAS [redacted] and [redacted] JRD: lmt Date dictated 10/21/71

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BU - 44 - 592
WFO 44-861

the prisoners. I obtained this information while serving on a panel formed to help protect the constitutional rights of the inmates following the prisoner disorder at Attica.

"I talked with many inmates especially in Housing Block Z, and many of them told me that after the prison authorities regained control, the prisoners thought to have been involved in the disorder were stripped naked and made to run a gauntlet while they were beaten by prison guards and state troopers. The prisoners stated that the brutality happened on September 13 and 14, 1971. When our panel arrived on September 17, 1971, the incidents of brutality had ceased to a large extent and I did not hear of any specific acts of brutality while we were there.

N.Y. [redacted] I recall the names of two prisoners who told me that they had been beaten and abused. [redacted] a Puerto Rican prisoner, about [redacted] years of age, told me that he had been beaten with a club and as a result of the beating received a broken arm. [redacted] also known [redacted] also a Puerto Rican prisoner, about [redacted] years of age told me that he received a beating. About a week after the disorder [redacted] woke up with a bright light shining on him and he heard a guard say, 'That's the one. We'll get him.' or words to that effect, according to [redacted]

"I do not recall that the prisoners furnished the names of any guards participating in acts of brutality but they may be able to furnish such names if they are questioned.

"I have read the above statement consisting of this and two additional pages. I have initialed each page and any corrections and I am signing it because it is true to the best of my knowledge.

"/s/ LOUIS HUNEZ

"Witnesses

[redacted] Special Agent, FBI, Washington, D.C., 10/20/71
[redacted] Special Agent, FBI, Washington, D.C., 10/20/71"

FEDERAL BUREAU OF INVESTIGATION

Date 10/21/71

ROBERT P. PATTERSON, Attorney, Patterson Belknap and Webb, One Wall Street, was interviewed at his office where he furnished the following information:

Mr. PATTERSON advised that he is a member of the Goldman panel formed after the recent uprising at the Attica, New York, State Prison (Attica). He stated that it was his function, as a member of the Goldman panel, to talk with the Attica prisoners for the purpose of insuring that their constitutional rights were being protected during the transitional period after the riot and to talk to them regarding their personal needs, such as food, clothing, tobacco, and so forth.

Mr. PATTERSON stated that he talked to approximately 300 Attica prisoners between September 17, 1971, and September 21, 1971. He advised that he took no notes and can provide very limited information regarding specific individuals. He stated that he talked to approximately 25 prisoners who complained of being beaten by prison guards and the New York State Police after the prison had been secured. He advised that many prisoners displayed cuts, marks and welts which they attributed to these beatings. Mr. PATTERSON advised that an inventory of cuts, marks and welts on the bodies of the prisoners were taken and is in the possession of [redacted] New York State Department of Correction.

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Mr. PATTERSON stated that the prisoners talked of gauntlets that were formed by the New York State Police and prison guards in areas of the prison commonly referred to as the HBZ unit and A Block. He stated that New York State Senator JOHN DUNN of Garden City, New York, told him that he and [redacted] of Correction, witnessed such a gauntlet in A Block.

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Mr. PATTERSON stated that he has no specific information but it is his opinion, formed from general conversations with prisoners, that these gauntlets resulted from a path to the cell areas formed by the authorities. He stated that he does not believe this path was originally set up as a gauntlet, but as a means of insuring an orderly return of the prisoners to the cells. He stated that it is his opinion that the alleged beating of the prisoners as they proceeded through

On 10/20/71 at New York, New York BU - 44-592
File # NY 44-2086
by SAS [redacted] and [redacted] Date dictated 10/21/71
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BU- 44 -592

NY 44-2086

this line of officers was a spontaneous act and not ordered by any official. He stated that he feels that this spontaneous act happened because the officers had known that certain prison guards had been hurt and killed by the prisoners and had seen prisoners hold knives to the throats of guards, and furthermore, many rumors of mutilation of bodies of guards and so forth had circulated during the riot. He stated that the hitting of prisoners with the clubs of the officers was probably a natural and almost expected reaction under the circumstances at this time.

Mr. PATTERSON stated that he understands that each gauntlet was made up of about 20 officers. He stated that the gauntlet in the HBZ Unit seemed to have been the severest according to prisoners.

Mr. PATTERSON advised that none of the prisoners that he interviewed identified the individual or individuals who beat them except one prisoner. He stated that he interviewed (First Name Unknown) (FNU) [redacted] (phonetic) (ph) at Meyer Memorial Hospital, Buffalo, New York, and he asked [redacted] (ph) about a crease on his head from the top of his head to his forehead. He stated that [redacted] (ph) had appeared drowsy and possibly under medication, but he suddenly became aroused and almost "illusionary" and pointed to a New York State Policeman about 15 feet away and said he had hit him on the head. Mr. PATTERSON stated that this policeman was one of the two individuals assigned to drive the vehicles in which he and other members of the Goldman panel travelled. He stated that he believes this individual is named [redacted] (ph) and usually works in the New York State Bureau of Criminal Identification. He described this officer as being about [redacted] years old, white, grey hair, and a [redacted]. Mr. PATTERSON stated that he thinks that [redacted] (ph) saw [redacted] (ph) point him out. He stated that he has no further details regarding this incident and he did not mention anything to [redacted] (ph).

Mr. PATTERSON stated that [redacted] (ph) was hospitalized for gunshot wounds. He stated that the crease on his head was visible four to five days after it had been inflicted. He stated that the skin did not appear to have been broken. He stated that he described [redacted] (ph) as "illusionary" because one moment he would be quiet and drowsy and the next moment he would be highly aroused and excited. He stated that he was in an excited state when he pointed to [redacted] (ph).

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BU - 44 -592

NY 44-2086

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Mr. PATTERSON stated that he recalls that prisoners
[redacted] (ph), a white man from the HBZ unit who acted as
[redacted] for the rebellious group because he [redacted]

[redacted] reported to him that they had been beaten physically. He NY
advised that prisoner [redacted] a Negro, claimed that he
was beaten by a State Policeman while he was lying on a stretcher
awaiting an ambulance. He stated that prisoners, whose names
he does not recall, reported to him that (FNU) HICKS,
MELVILLE, also known as the Mad Bomber, and L. D. BARKLEY
of Rochester, were all killed by the State Police or Prison
Guards after the prison was secured. He stated that these
prisoners were reported to have surrendered. Mr. PATTERSON
stated that he does not recall which prisoners reported this
information to him.

Mr. PATTERSON recommended that CLARENCE JONES, another
member of the Goldman panel be contacted regarding the deaths
of HICKS, MELVILLE, and BARKLEY. He also recommended that
[redacted] New York Legal Aid
Society, 119 Fifth Avenue, New York City, telephone number
677-4224, be contacted regarding the testimony of a New York
State National Guardsman who testified before Judge CURTAIN,
in a Federal Court hearing, in Buffalo, New York, that he had
witnessed the beating of prisoners.

Mr. PATTERSON stated that it would be difficult for
the prisoners to identify State Policemen responsible for
beating them. He advised that in his opinion, he believes
that the prisoners could identify prison guards who beat them
but they would be afraid to point these men out to authorities.

FEDERAL BUREAU OF INVESTIGATION

1.

Date 10/21/71

CLARENCE B. JONES, Editor and Publisher of the Amsterdam News, was interviewed at his office located at 2340 Eighth Avenue, New York City, New York. JONES advised he is a member of the commission to investigate the Attica uprising as appointed by Justice H. GOLDMAN, Appellate Division, Fourth Department, New York.

JONES advised that he has received numerous complaints from inmates of the Attica State Prison during the period September 13-14, 1971. The nature of these complaints dealt mainly with beatings and assaults by State Police, sheriffs, deputies and correctional officers against the inmates at a time subsequent to the initial assault on the prison by State Police and other law enforcement agencies and after the inmates felt they were all in a state of surrender to these law enforcement officials.

In particular, Attica Prison inmates [redacted] Prison Number [redacted] Prison Number [redacted] Prison Number [redacted]

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advised Mr. JONES that they personally observed fellow inmate JAMES HICKS (now deceased) shot by a State Police officer after HICKS had surrendered. These inmates advised JONES that they were standing against a wall or in a corridor with HICKS when the State Police officer shot HICKS. JONES advised he believes they reported to him that HICKS was shot with a rifle but he was uncertain of this.

In addition, Attica inmate [redacted] Prison Number [redacted] reported to Mr. JONES that in the late afternoon of September 13, 1971, while being processed from Cell Block D back to Cell Block A, he was forced to run a gauntlet of prison guards while in the nude and received beatings from them as he did so. In addition, [redacted] was forced to lie on a table with a football under his chin and while in this position he was threatened with castration and he was beaten and lighted cigarettes were placed on his body. JONES believes [redacted] told him that the latter was conducted by State Police officers. Attica inmate [redacted] (Prison Number unknown) advised JONES that he witnessed the above concerning [redacted]

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On 10/21/71 at New York, New York BU - 44 - 592
File # NY 44-2086
by SAS JOHN F. CUNNINGHAM & RAIMON L. PATTON/JFC:lfk Date dictated 10/21/71

BU- 44 -592

NY 44-2086

2.

JONES advised that the above were the only specific instances he could recall at the time of interview but added that most of the prisoners in Cell Block A made complaints to him of being forced to strip and run naked through a gauntlet of correctional officers where they were attacked and received numerous beatings.

JONES was unable to furnish any additional information at the time of interview.

FEDERAL BUREAU OF INVESTIGATION

Date 10/21/71

Mr. DONALD H. GOFF, General Secretary of the Correctional Association of New York with headquarters at 135 East 15th Street, New York City, advised that he was appointed to the special panel concerning Attica Prison Facility by Justice HAROLD GOLDMAN to look into complaints of inmates allegedly committed by correction officers and state troopers after the prison was secured on September 13, 1971. He said that the Correctional Association which he was associated with was founded approximately 125 years ago and its purposes were two-fold, namely to improve the administration of criminal justice and to handle the problems of inmates who are recently released. He said it is a private agency, funded by private funds and chartered by the State of New York.

He advised that the purpose of the panel was to act as a buffer or catalyst during the transition period following the securing of the prison. Specifically, he said the panel was aware that power had shifted from the inmate population back to the correction officers and it was in this area that the panel was concerned. In addition, the panel was interested in any abuses that might have been committed by correction officers or state troopers following the securing of the prison. He pointed out that the panel did not have any mandate to make recommendations to the governor of New York nor were they empowered to conduct any prolonged investigation.

He stated he arrived at Attica Prison on September 17, 1971 and conducted a number of superficial interviews with inmates. He said he later determined that a number of inmates formerly in housing block Z, which is a segregated area, were transferred to Clinton Prison on Tuesday following the securing of the prison. He said his interviews at Clinton Prison were private.

On 10/20/71 at New York City, New York File # BU 44-592 NY 44-2086

by SA JOSEPH L. CONWAY & SA [redacted] k -22- Date dictated 10/21/71

NY 44-2086

according to Mr. GOFF

BU - 44 - 592

NY 44-2086

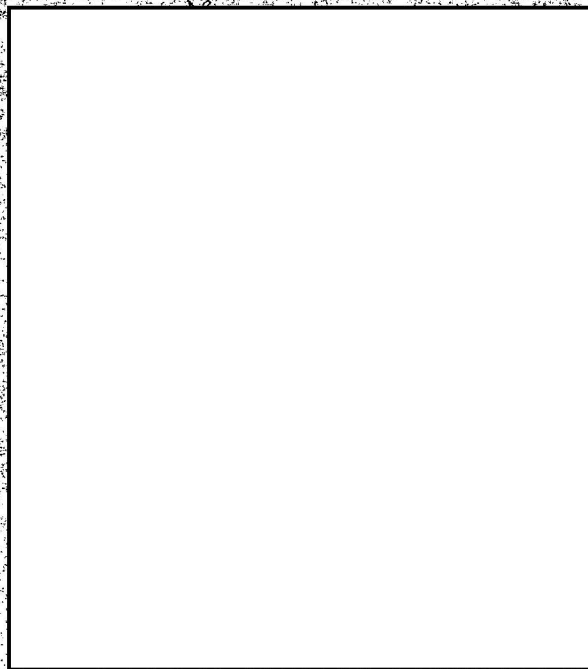
He stated another inmate [redacted] Clinton number [redacted] was mentioned by other inmates as being beaten in a similar manner as [redacted]

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He stated [redacted] Clinton number [redacted] witnessed on Tuesday, approximately 13 inmates beaten by State Police while getting ready to be shipped back to Clinton.

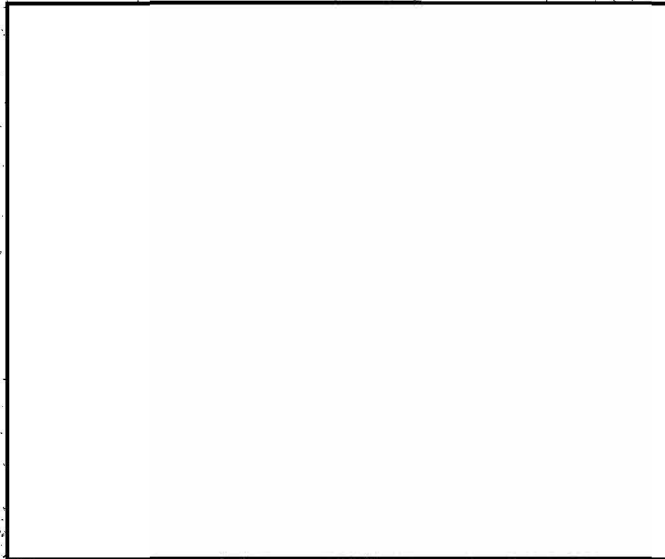
Perhaps the most serious allegation he received was from an inmate whose name he can not now recall concerning SAMUEL MELVILLE who allegedly accompanied another inmate from Yard D to A Yard. He stated this inmate advised that as they went from A Yard into A Block, MELVILLE was alive following the assault of the prisoners and he was removed by State Police and subsequently he learned that MELVILLE had been killed. GOFF acknowledged that this was a serious allegation and advised that he does not have the name of the inmate but that he believes he is probably one of the 30 or more inmates whom he spoke to at Clinton. He listed the following individuals that he spoke to at Clinton Prison. He said these interviews were not transcribed and he does not intend to transcribe them more fully. He stated he took notes and they are as follows:

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BU - 44 -592
NY 44-2086

N.Y.



GOFF advised that he does not know the names of any specific state troopers or correction officers who might have been involved in these assaults.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/22/71

[redacted] of the Appellate Division, Fourth Department of Supreme Court, State of New York, was contacted at the Monroe County Hall of Justice. He furnished the following regarding Justice HARRY D. GOLDMAN:

Justice GOLDMAN, Presiding Justice, Appellate Division, Fourth Department of the Supreme Court, State of New York, underwent vascular surgery on October 13, 1971 at the New York University Medical Center, 566 First Avenue, New York City and is presently confined to the Intensive Care Unit in that institution.

[redacted] stated he considers Justice GOLDMAN unavailable for interview at this time.

On 10/20/71 at Rochester, New York File # Buffalo 44-532

by SAs [redacted] and PAJ:caw Date dictated 10/21/71

- 26 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

[redacted], New York
State Correctional Facility, Attica, New York, made the
records of that institution available which revealed the
following regarding [redacted] Inmate Number [redacted]

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[redacted] was received at the institution on
[redacted]
[redacted]

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[redacted] is scheduled to be transferred from Attica
Correctional Facility to the Greenhaven Facility on
October 22, 1971.

The record reflected the following description
of [redacted]

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Name
Aliases

Race
Sex
Date of Birth

White
Male

Height
Weight

5'9"
189 pounds

On 10/20/71 at Attica, New York File # Buffalo 44-592

by SAs CARL E. UNDERHILL and
[redacted] LME:caw Date dictated 10/21/71

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

[redacted] was located at the New York State Correctional Institute at Attica, New York. [redacted] was advised of the nature and purpose of the investigation being conducted.

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[redacted] stated that he had been advised by his attorneys not to talk to anyone unless the attorneys were present. When the identity of the attorneys was requested, [redacted] stated that he did not wish to furnish his attorneys' names.

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The interview was terminated at this time.

On 10/20/71 at Attica, New York File # Buffalo 44-592

by SAs CARL E. UNDERHILL and [redacted] CEU:caw Date dictated 10/21/71

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- 28 -

FEDERAL BUREAU OF INVESTIGATION

1.

Date 10/21/71

[redacted] Green Haven Correctional Facility advised that during the morning of September 13, 1971, he was confined to the Attica Correctional Facility and was specifically located in D block yard in the vicinity of the handball court. He described D block yard as the yard where all inmates not locked in their cells were congregated from September 9, 1971 to September 13, 1971.

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During mid-morning, September 13, 1971, a helicopter made two sweeps over D block yard, dropping tear gas on both occasions. The exact time that the New York State Police (NYSP) entered the facility is unknown, but he recalls hearing what appeared to be gunshots and slugs hitting the ground nearby. For some protection he entered a hole in the ground which had previously been dug as a shelter measuring about eight feet by nine feet under the sidewalk. About two or three minutes later he looked out of the shelter and observed on the "catwalk" (roofs of yard tunnels) many men in orange raincoats. These men were observed on the "catwalks" dividing A&D and B&D block yards. Also observed were some men in orange raincoats on the A block roof, which is over three stories high.

At approximately the same time from the helicopter instructions were being given to surrender by placing hands above the head and to approach B block wall or the nearest officer. Instructions given were "You will not be harmed". These instructions were repeated time after time.

[redacted] said he had left his shelter area, placed his hands on his head, and moved to B block wall among other inmates. While preceding along the wall as instructed, he observed approximately 15 feet away an inmate leaving a tent shelter with hands on his head and started walking toward the wall. When this inmate was about four feet from the tent shelter, [redacted] said he observed an officer in an orange raincoat on the "catwalk" separating yards B and D raise a long gun, rest it on the railing pointing it slightly downward, and shoot this inmate. [redacted] explained that as he walked

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BU - 44 -592

On 10/20/71 at Stormville, New York File # NY 44-2086by SA [redacted] cd 10/21/71

- 24 - Date dictated

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BU- 44- 592

NY 44-2086

2.

past this fallen inmate he observed a large pool of blood and presumed him to be dead. The identity of the inmate and officer is unknown, [] pointing out that all officers in orange raincoats were wearing helmets, gas masks and plastic face shields.

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The line of inmates continued walking to the tunnel door leading to A block yard. Prior to reaching this door, the inmates were instructed to sit on the ground with their hands on top of their heads, while the hostages located in a circle in D block yard were removed from this area to the A block yard door. These instructions were directed from the helicopter.

During this entire time there was sporadic shooting.

At this point [] sat on the ground near an elderly inmate who was lying on his back gasping for air. [] said he noticed the right chest area of this inmate's shirt was covered with blood. This inmate said he had been shot in the back to which [] replied, "I'm sorry I cannot help you. You will have to try to hang on".

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[] said that at this particular time a trooper approached him, kicked him in the chest, and told him, "Shut the (obscenity) up and move over". At the same time this trooper took out his pistol and holding it about one foot from [] head pulled the hammer back and with shaking hand told [] to take off his belt and the inmate next to him to remove his coat and "if you make one move I'll shoot you in the head".

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Also while sitting on the ground [] stated he heard an unknown officer announce, "There are still some inside the block", referring to inmates located in D block building. Thereafter, the officers using tear gas, guns, and guns believed to be shotguns and automatic rifles fired into the D block building windows. This shooting was done from the top of the tunnel or "catwalk" areas.

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BU - 44 -592

NY 44-2086

3.

[redacted] continued that the inmates were then told to strip off all clothing, leaving on either a shirt or trousers. About six troopers, three on each side, then lined up in the doorway tunnel leading to A block yard. The inmates were then instructed to move between the troopers and into A block yard. While passing between the troopers, the troopers clubbed the inmates with nightsticks and literally threw the inmates into A block yard. [redacted] said that he himself was struck on the right shoulder with a nightstick and that he landed on the concrete sidewalk inside A block wall, scraping and bruising his right leg and ankle. Thereafter, the inmates were instructed by the troopers to lie on their stomachs with hands on their heads and to crawl across the grass in A block yard in this fashion. [redacted] said that when he proceeded out of this tunnel door, the line of inmates on their stomachs appeared to be about 30 feet wide and stretched the length of the yard. While lying on his stomach he overheard an unknown officer shout, "Stop beating those guys. What do you think you are doing, driving cattle".

[redacted] also at this time heard another officer remark, "Look at all the asses sticking up. We ought to stick a club in each one of their asses".

As a specific point was reached the inmates were forced to strip completely, after which the NYSP officers removed from the inmates watches, rings, medals, neckchains, false teeth, eyeglasses and threw them upon the ground and stomped these items into the ground.

Thereafter, the inmates were marched naked in a zigzag pattern with their hands above their heads, waiting to be sent to cell blocks and also so they could be observed by correction and NYSP officers stationed on the "catwalks". While marching in this fashion there could be heard all kinds of moaning and screaming coming from the inside of the A block tunnel where the remaining inmates were to pass through. Once inside this tunnel there was a gauntlet, a line of troopers on each side of the tunnel and spaced about ten to fifteen feet apart and stretched the length of the tunnel. All the inmates were instructed to run double time between the lines of these troopers, while the troopers swung at the inmates with their nightsticks and long gun butts.

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BU - 44 -592

NY 44-2086

4.

[redacted] advised that after he ran through this line he was sent to a tier of cells on the third floor in A block and upon arriving there, one trooper holding a nightstick in both hands struck [redacted] just above the beltline in the stomach area, knocking the wind out of him. He said that he thereafter stumbled over two other inmates who were trying to enter one of the cells. Both of these inmates thereafter entered the same cell with [redacted] where all were locked in.

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HHB:cd

1.
BU- 44 -592
NY 44-2086

The following descriptive data and background information pertaining to [redacted], Green Haven Number [redacted] was obtained through file review:

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Sex	Male
Race	White
Date of Birth	[redacted]
Place of Birth	[redacted]
Height	Five feet, eight inches
Weight	160 pounds
Eyes	Brown
Hair	Brown
Legal Residence	[redacted]

Father

Occupation
Social Security Number
Federal Bureau of
Investigation Number

The Green Haven Correctional Facility file reflected [redacted] by the Orangetown, New York Police Department (NYPD) [redacted]. His co-defendant was identified as [redacted].

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The file also contained an outstanding warrant from the Croton-on-Hudson NYPD, [redacted].

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On April 14, 1970, [redacted] was sentenced by Rockland County Judge GALUCCI to serve as follows:

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[redacted]

HME:cd

2.

BU - 44 - 592
NY 44-2086

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On June 3, 1971, [redacted] was sentenced by
Westchester County Judge MARBACH to serve as follows:

[redacted]

The file further reflected [redacted] earliest

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date 10/21/71

[redacted] was contacted at the Bushwick Neighborhood Committee Council, 267 Central Avenue, Brooklyn, New York. He provided the following information:

He stated that his true name is [redacted]. He stated that he was known on the official records of Attica Prison as [redacted]. He resides at [redacted] Apartment [redacted] New York. His home telephone Number is [redacted]. His Social Security Number is [redacted].

[redacted] stated that he was released from Attica State Prison on [redacted]. He had been doing time there on a twenty-four month sentence he received following an armed robbery conviction. He had Attica Number [redacted].

[redacted] He stated that during the initial stages of the riot Cell Block C was seized by the inmates. After four or five hours the control of Cell Block C was gained by the Correctional Officers [redacted] was assigned to the [redacted]. He stated that he had a window in his cell that faced on the yard.

[redacted] advised that at approximately 10:30 a.m. on the day the prison authorities regained control of the institution he was observing activities in the yard from his window. He stated that for a period of about thirty minutes he heard orders broadcast over loud speakers requesting the inmates to surrender. At approximately 11:00 a.m. he heard numerous shots fired. The shooting lasted for a period of about a half an hour. [redacted] stated that he did not observe any prisoners being shot or beaten in the yard.

He stated that at approximately 1:00 p.m. the prisoners in his area of Cell Block C were told that they were being taken to solitary confinement, commonly known as the "Box". He advised that he was actually taken to an area in the building where the "Box" is located known as "Protection". He stated that the "Protection" area is located on the second

On 10/21/71 New York, New York File # BU - 44 - 592 NY 44-2086
by SA JOHN H. GRANT
SA [redacted] :nam Date dictated 10/21/71

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BU- 44 -592

NY 44-2086

floor of the building and the "Box" is located on the third floor.

[redacted] advised that two days after the prison authorities regained control of the prison, he was asked to [redacted] area is located. He stated that he worked from approximately 9:00 a.m. to 7:00 p.m. under the direction of [redacted] [redacted] stated that [redacted]

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[redacted] stated that during the time he was working cleaning up the building he observed approximately twenty prisoners being escorted by guards up the circular stairway towards the third floor area. [redacted] stated that on two or three occasions he personally observed Negro inmates who were being escorted by guards stumble on the stairway. He advised that on those two or three occasions the guards struck the prisoners on the back and legs with clubs forcing them to continue up the stairway. Guards struck the prisoners in a hammer like fashion, not in a proding like fashion. He stated that he did not see the faces of the inmates who were struck. He stated that he does not know the names of the guards who struck inmates. [redacted] advised that he could identify the guards who struck inmates, but he absolutely and irrevocably would not do so because he fears that his parole would be violated as a result.

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[redacted] stated that during the time he was working in the building he was assisted by two Negro inmates whose names he did not know. He stated that the two Negro inmates were known to [redacted]

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

[redacted]
[redacted] New York, was interviewed at [redacted]
Hospital, Buffalo, New York, and furnished the following
signed statement:

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On 10/20-21/71 at Buffalo, New York File # Buffalo 44-592

SAs SYIVESTER B SMITH and
by [redacted] /VP:caw Date dictated 10/21/71

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- 37 -

October 20, 1971

I. [REDACTED]

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[REDACTED] New York, give the following free and
voluntary statement to [REDACTED] Sylvester
B. Smith, who have identified themselves to me as Special
Agents of the Federal Bureau of Investigation. I understand
this statement can be used in a Court of Law.

Initially, on a voluntary basis, I was going to the
Attica Correctional Facility, Attica, New York, to assess
the medical needs, however, I realized the scope of the job
was much larger than one man could handle and a number of
resident physicians joined me in forming a medical team to go to
the Attica Correctional Facility on a voluntary basis on Wednesday,
September 15, 1971, two days after the prison riot had been
quelled. [REDACTED] Meyer Memorial

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Hospital, Buffalo, New York, and [REDACTED]
[REDACTED] Meyer Memorial

[REDACTED] Meyer Memorial
Hospital, who headed up the surgical team that went to the
Attica Correctional Facility.

My medical team went to the Attica Correctional Facility
primarily to give medical care to those individuals who were
sick, such as diabetics, epileptics and those who had not had
medical treatment or received care since the riot had begun.

108

On arrival at the Attica Correctional Facility at approximately 11 AM, Wednesday, September 15, 1971, we reported to [REDACTED] the medical facilities at the Attica Correctional Facility. My team went first to Cell Block E to provide medical assistance in that cell block. In Cell Block E on the ground floor all of the prisoners were still naked. Many had gunshot wounds and some had tear gas burns of first and second degree. Those with tear gas burns were referred for treatment to the surgical team.

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One prisoner I recall was [REDACTED] a white male in his 20's who was lying on the ground as there was no bed or plank. He was in a state of shock and disoriented. He had a possible fracture of the right cheekbone and possible concussion and was referred to [REDACTED]. A second prisoner is [REDACTED] who had suffered a gunshot wound in the left ankle. He is known to me because he was a prior patient. In Cell Block E the prisoners had received superficial medical treatment and returned to their cells some time between Monday and Wednesday morning, September 15, 1971, at 11 AM.

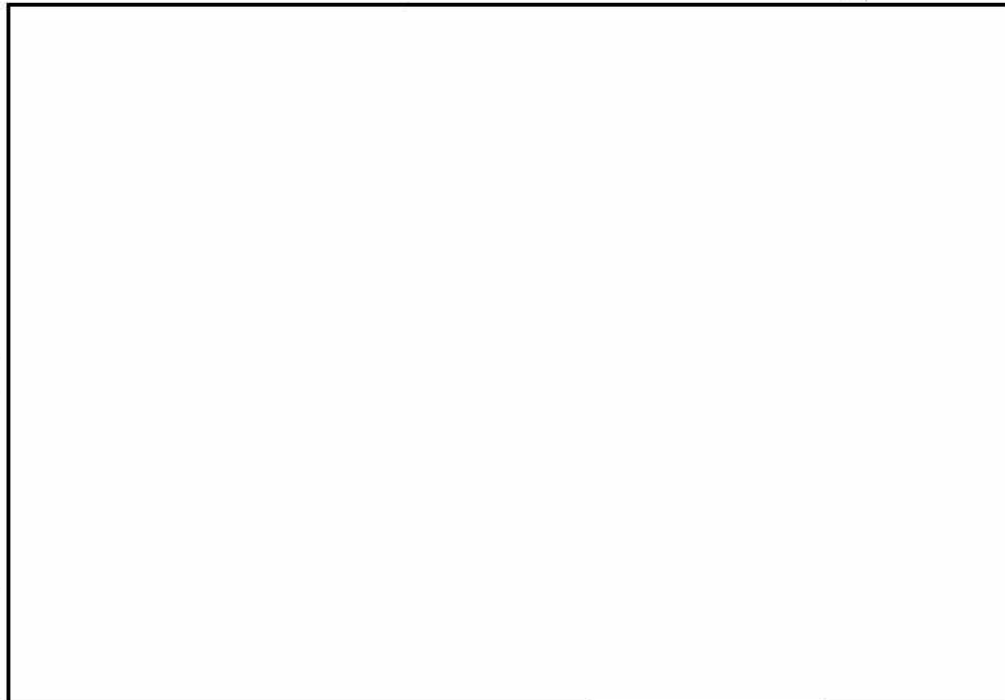
N.Y. b6
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During the course of Wednesday, some of these prisoners received further treatment at the prison hospital. In Cell Block C on Wednesday the prisoners on the first floor were all dressed and no medical assistance was required. I was told that these inmates in Cell Block C had not taken part in the prison

riot and there was no indication that medical attention was required with the exception of one prisoner, who had a one inch laceration in his thigh. This injury was suffered prior to the riot and the stitches were still in his leg. This prisoner's medical concern was the removal of the stitches from his leg.

I arrived with the rest of my team at Cell Block A on Wednesday, September 17, 1971, at approximately noon or 12:30 PM. The prisoners were in various stages of dress, but no one in the cell block was observed to be nude. Most of the day, approximately five hours, was spent in Cell Block A. Clothing was distributed to the prisoners during the course of the time we were in Cell Block A. We were told by the correctional officers that most of the prisoners in Cell Block A had taken part in the riot. During the time I was in Cell Block A on all floors no prisoners were observed to be nude and the majority of the cells had three prisoners in them. My medical team went from cell to cell and covered all the cells in Cell Block A rendering requested medical assistance. The biggest complaint of the prisoners was pain and their requests were usually for pain medication. The medication supplied was Darvon and no prisoner was given more than one day's supply of these pain relievers. Most of the prisoners were observed to have multiple body bruises and this was true of all floors in Cell Block A. On Wednesday and Thursday, September 15 and

September 16, 1971, I covered all floors of this cell block except the first floor on the right hand side. The general complaint of the prisoners was pain due to multiple body bruises. As I passed from cell to cell, the prisoners voluntarily said that they had been beaten; some said it quietly and some were very vociferous. Their usual request was to check part of their body for broken bones or for pain medication. During the time my team was at the Attica Correctional Facility, we were escorted by guards (names unknown). The medical team, other than myself, was made up primarily of residents, ^{of one} interns ^{from} Meyer Memorial Hospital, Buffalo, New York. The team was made up of the following persons:



Memorial Hospital with the exception of  who is an intern.

In general, I found the prisoners' bruises to be fresh, less than 48 hours old and received since Monday, September 13, 1971. The bruises were apparently inflicted by a long blunt ^{of also bread} instrument, ~~approximately the size of a broom-~~
~~stick and~~ ^{The bruises} were superficial with blood under the skin. There ^{has} were no broken skin lacerations that had to be stitched.

Approximately 75% of the estimated 1,000 persons in Cell Block A had multiple body bruises. Cell Block A has a population of 85% to 90% black, and I personally saw 90% of the individuals in Cell Block A. Most of my time was spent in Cell Block A.

On Thursday afternoon I went to the Segregation Unit which is located above the hospital in the prison hospital building. The guard there (name unknown) advised that most of the prisoners in Segregation were being protected from other prisoners as the prisoners felt these were the informants. However, other prisoners had told us that the leaders of the riot were the men in the Segregation Unit. The prisoners in Segregation had voiced no complaints possibly due to the presence of a guard (name unknown) accompanying us. One inmate of the Segregation Unit was observed to have a head dressing and bruises both on his back and chest, however, he advised he had fallen down the stairs.

During the time I was at the Attica Correctional

Facility, I saw no deprivation of food and no instance of physical abuse of the prisoners. I did see what I feel are the results of physical beating of the prisoners. Some of the prisoners during my medical rounds spoke to me about mental harassment on the part of the correctional facility guards, such as waking them up at night and asked for some medication to induce sleep. Most of the prisoners observed were young and of those treated, there were no serious injuries where life was threatened. We treated only the most serious and obvious injuries as we had no knowledge of internal injuries. *Note: Examinations were brief & of a cursory nature. JCS* All those suspected of having internal injuries were referred to the surgical team for treatment.

I am a [REDACTED]

and was [REDACTED]

During

the time I was at the Correctional Facility, I wore a long white doctor's coat. In my evaluation, the medical facilities at the Attica Correctional Facility were overtaxed during this period of chaos.

During the time I was in the Attica Correctional Facility, the prisoners (names unknown) advised me that after the riot had been subdued and the yard had been taken back into control, the prisoners were all lined up, stripped and made to crawl on their hands and knees. During the time they were crawling, they were kicked and butted by State Troopers. I was also told that within the corridor connecting the cell blocks,

the prisoners were made to run a gauntlet between two rows of both Troopers and guards who beat them as they ran toward their cells. They were also beaten into their cells.

I was at the Attica Correctional Facility Wednesday, September 15, 1971, from approximately 11 AM to 6:15 PM and on Thursday, September 16, 1971, from approximately 11 AM to about 5:30 PM.

This was a period of chaos and confusion, however, I saw no purposeful deprivation. While at the facility, I ate one meal - lunch, which consisted of a hot dog and some beans.

I have read this statement consisting of this & six (6) other pages and, to the best of my knowledge, is correct.

Witness:

[Redacted]

[Redacted]

Special Agent, FBI, Buffalo, New York, 10/21/71
Hyman B. Smith; Special Agent, Federal Bureau of Investigation, Buffalo, N.Y. 10/21/71

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BU 44-592

-2-

The following descriptive data was obtained
through interview and observation:

Name

Born

Race

Sex

Height

Weight

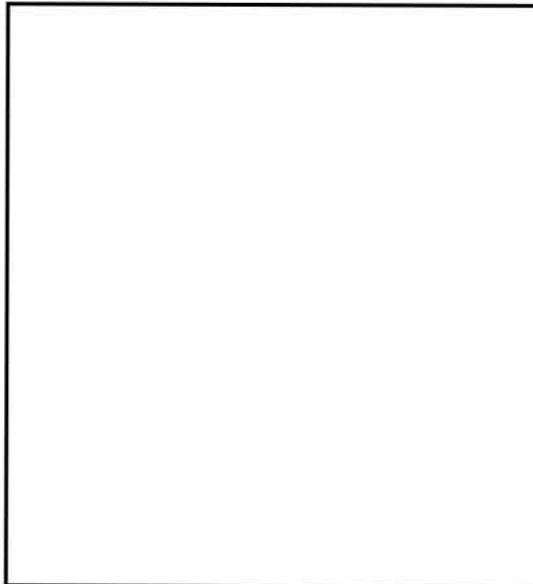
Hair

Residence

Telephone

Office

Occupation



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FEDERAL BUREAU OF INVESTIGATION

Date 10/22/71

[redacted] residing at [redacted]
[redacted] telephone number [redacted]
[redacted] Howard University School of Medicine, WDC,
[redacted] was interviewed at [redacted]
[redacted] telephone [redacted]

[redacted] National Medical Association, an organization whose membership is comprised of a majority of non-white doctors and dentists, was requested by [redacted] of the NMA, to head a three member delegation at Attica Correctional Facility (ACF) whose purpose was to observe and render treatment and medical care to the inmates at ACF. Prior to departing [redacted] was advised by [redacted] that arrangements had been made with officials at the ACF for the NMA delegation to go into the prison and talk and work with the prisoners. However, upon arriving at the ACF on Saturday, September 11, 1971, she and the other two members of the NMA delegation were denied admittance to the prison.

[redacted] the other two members of the delegation, remained at the ACF until early Monday morning, September 13, 1971. During this time, [redacted] spoke with state troopers, prison guards, and sheriff's deputies. She felt that tensions were very high among the law enforcement people with whom she spoke.

She advised of hearing guards and troopers speaking of retaliation and giving the inmates "what they deserve."

On 10/22/71 at Washington, D.C.BU - 44-592
File # WFO 44-861

by SA [redacted]

LRM:pee

Date dictated 10/22/71

- 46 -

BU - 44 -592
WFO 44-861

On Sunday, September 12, 1971, while talking with a New York State Trooper, whose identity she did not know, word was passed around that the guard that had fallen inside the prison had died. To this news, the trooper replied, "our only concern now is to get the hostages out and then give the inmates what they deserve."

When it became obvious to [redacted] group was not going to be admitted into ACF, and that attempts were going to be made to retake the facility, on Monday morning, she returned to [redacted]

On Tuesday, September 14, 1971, she received a call from ACF requesting that she, accompanied by any available medical people, return to ACF and assist in caring for the sick and wounded inmates. She arrived at the facility on Wednesday, September 15, 1971, and stayed until Friday, September 17, 1971. Again, she and her delegation were denied admittance into the prison. The delegation on the second trip to ACF consisted of [redacted] all [redacted]

While they awaited admittance into the ACF, [redacted] spoke with doctors and a nurse who had gone into the facility and who reported to her that inmates had received serious injuries from beatings administered by guards and troopers. At no time did [redacted] speak with any inmates. Her information concerning these alleged beatings was second-hand information. [redacted] could not attribute any particular incident or statement to any one of the persons with whom she spoke, but reiterated that all of these persons had been inside the prison. These persons include:

1. [redacted]

BU - 44 -592

WFO 44-861

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3.

4.

[redacted] advised that she spoke with a male nurse, whose identity is unknown to her at this time, who told her of beatings and injuries inflicted on the inmates.

[redacted] advised that she would make available the identity of this individual as soon as she received his name and location or employment.

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[redacted] felt that [redacted]
[redacted] University of Buffalo, would know the identity of any other medical people that entered the ACF.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/22/71

On October 21, 1971, [REDACTED]

Buffalo, New York, voluntarily furnished the following information during an interview at his office at the E. J. Meyer Memorial Hospital:

[REDACTED] advised he headed up the surgical team from the E. J. Meyer Memorial Hospital that responded to the emergency call at the Attica Correctional Facility (ACF) September 13, 1971, and he directed the surgical effort at ACF during the period following the assault to regain control of the prison. He first arrived at ACF mid-afternoon of Monday, September 13, 1971, and remained until approximately 12 midnight. He was also present at ACF on Tuesday, September 14, 1971, from about 10 AM to midnight; Wednesday, September 15, 1971, from 10 AM to 10 PM, and on Thursday, September 16, 1971, from 10 AM to 7 PM.

He furnished the following list of doctors from the E. J. Meyer Memorial Hospital who he recalled assisted him in the surgical effort during the above mentioned period:

[REDACTED]

Residents

[REDACTED]

[REDACTED] advised that he may have missed the names of some of the doctors, but the above were the key physicians.

On 10/21/71 and 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [REDACTED] and SYLVESTER B. SMITH/SBS:mlr 10/22/71
Date dictated _____

- 49 -

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Additionally, [] stated there was a plastic surgeon, name unknown to him, from Rochester, New York. Also, he stated that there were two surgeons from Batavia, New York. One may have been a [] first name unrecalled; the name of the second doctor is unknown to him.

He also stated that poor records were kept of the "bumps and bruises".

[] had a number of medical notes, the significance of which he has not established, and he did not want to release any of these notes until they have been properly evaluated. He clarified this by saying these were handwritten records and notes by various medical personnel that toured cell blocks, particularly Cell Block A and Cell Block E, and after completing their tour furnished him these records as he was directing the surgical effort and was basically the medical administrator at the scene. He asked for the time necessary to review these medical records entirely prior to furnishing them to the Federal Bureau of Investigation (FBI) as the brief review he has conducted of these records indicates that some of them are of negligible value other than to indicate medical personnel toured Cell Blocks A and E. These records were primarily made on Tuesday, September 14, 1971, and Wednesday, September 15, 1971.

[] stated that an emergency call had been disseminated over the radio and television media for doctors and nurses and many individuals responded, however, after arriving at ACF they appeared to be "sight-seers" and the majority of them departed without taking an active part in providing medical care.

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The interview on October 21, 1971, was terminated at the Doctor's request due to the presence of other medical duties.

On October 22, 1971, [] made available Operative Records pertaining to the inmates who were surgically treated at ACF:

NAME

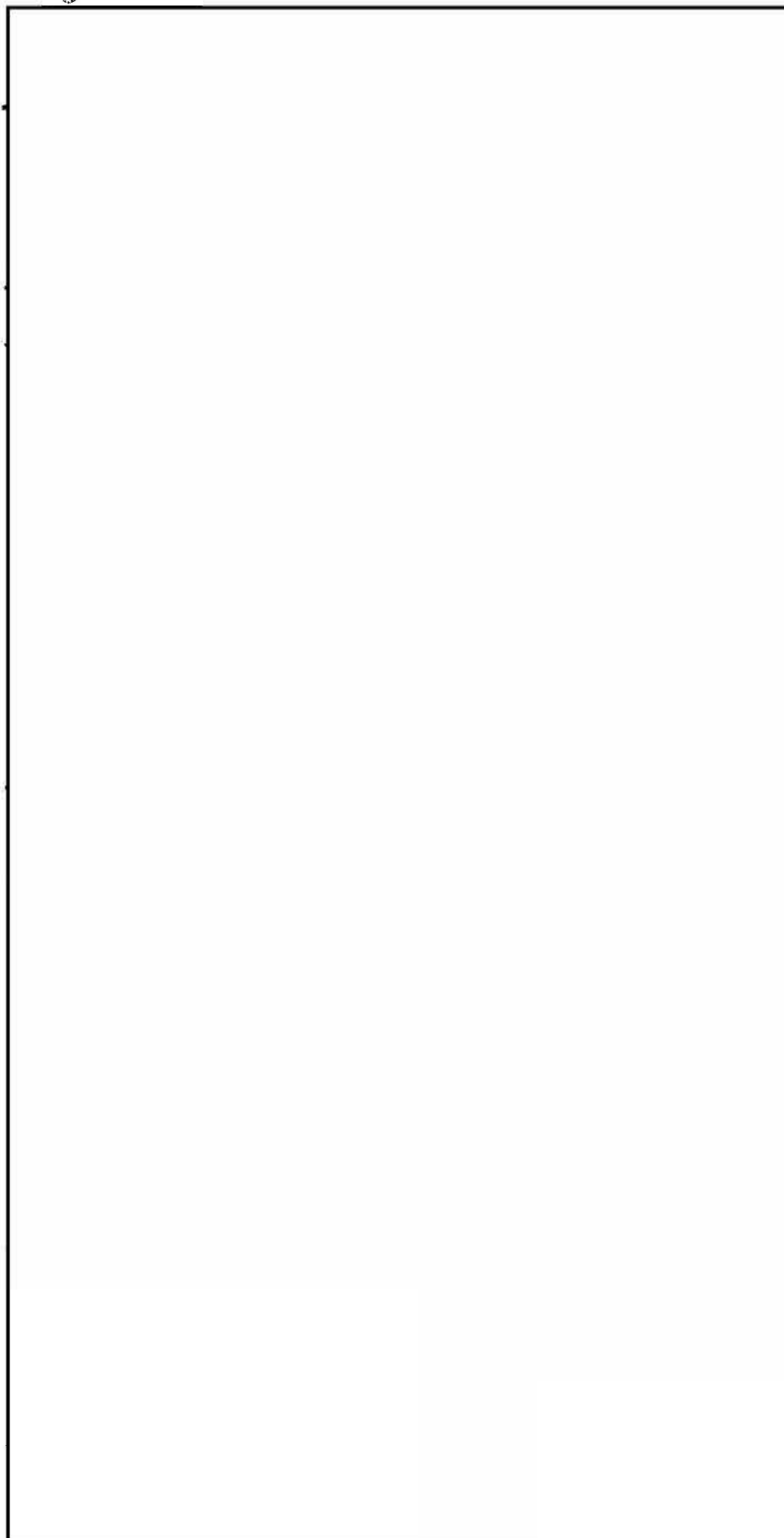
INMATE NUMBER

4

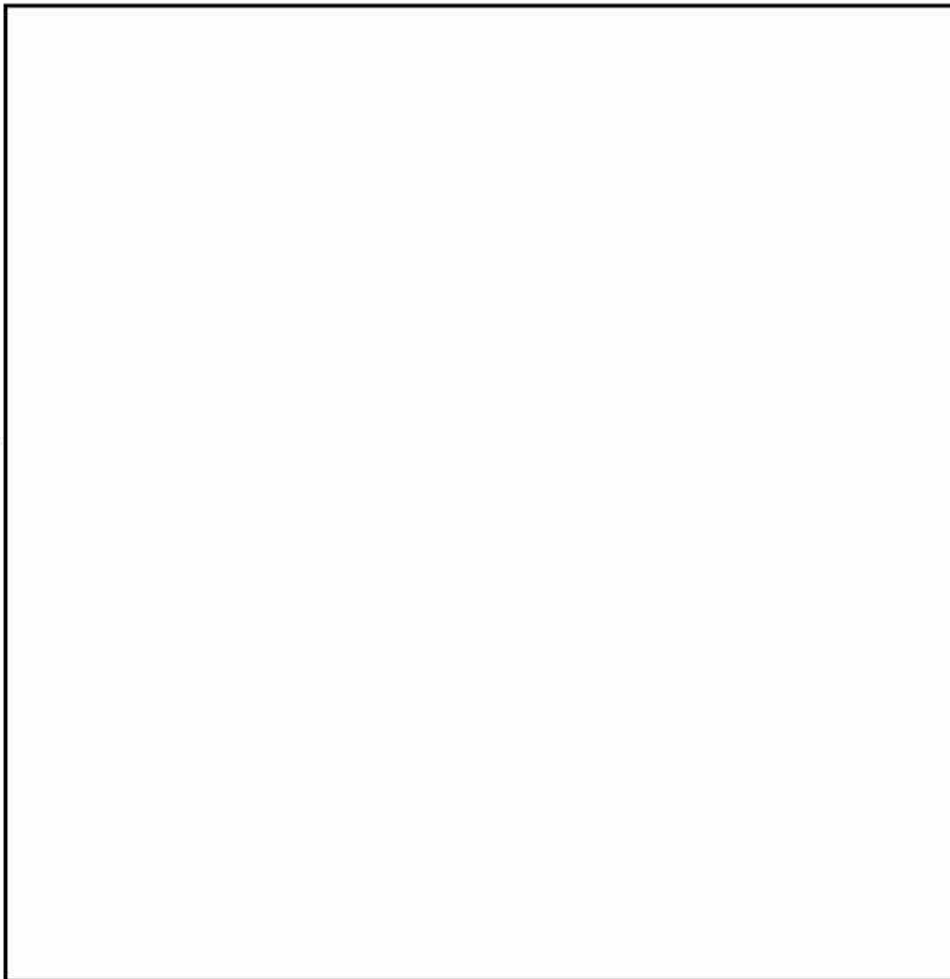
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FU 44-592

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Due to the pressures of [redacted] surgical and teaching schedule, a continuation of the interview was not possible, but [redacted] stated he would like to volunteer additional comments at a later date along with the review of the handwritten medical records mentioned above.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

E. J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, furnished the following list of nurses, who had travelled to the Attica Correctional Facility, Attica, New York, during the period of disorder in September of 1971:

She said the above individuals made up the Surgical Nursing Team from aforesaid hospital that went to Attica. She did not know the dates these nurses performed surgical nursing duties at Attica.

On 10/21/71 at Buffalo, New York File # Buffalo 44-592

by SAs SYLVESTER B. SMITH and [redacted] /SBS:caw Date dictated 10/21/71

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

[redacted] E. J.
Meyer Memorial Hospital, 462 Grider Street, Buffalo, New
York, furnished the name of [redacted] as one of the nurses
from the above hospital who had been selected to travel
to Attica during the period of disorder during September,
1971. She did not know the specific times that [redacted]
had performed any nursing duties at the Attica Correctional
Facility at Attica, New York.

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On 10/21/71 at Buffalo, New York File # Buffalo 44-592

by SAs [redacted] and
SYLVESTER B. SMITH/SBS:caw Date dictated 10/21/71

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-54-

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted]
[redacted] New York, was contacted at his office, [redacted]
[redacted], New York. He was advised of the
identity of the interviewing Agents and the nature of the
interview and thereafter furnished the following information
concerning his knowledge of the events surrounding the
recent disturbance at the Attica Correctional Facility (ACF),
Attica, New York.

[redacted]

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Subsequent to the disturbance at Attica, he was
requested to go to Attica by [redacted] who is the
Dean of the Medical School at SUNYAB. He and [redacted]
[redacted] from SUNYAB, traveled to Attica on September 21,
1971, with a contingent of doctors sent by the Erie County
Medical Society.

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In addition to [redacted]
the following doctors were also in this contingent:

[redacted]

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On 10/23/71 at Buffalo, New York File # Buff alo 44-52
by SA [redacted] and
WILLIAM C. KASH/GCL:mlr Date dictated 10/23/71

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Two other doctors whose names he could not recall were part of this contingent. One of these doctors was on the staff of the Veterans Administration Hospital and the other was a physician on the staff of Deaconess Hospital.

Upon arrival at ACF, the group of doctors met with [redacted] the New York State Health Commission of the Department of Corrections. [redacted] advised that the purpose of the doctors being summoned to Attica was to examine the prisoners at Attica who had been involved in the disturbance, to determine the nature of their injuries, to determine if possible the time these injuries occurred, and to determine if the prisoners had received adequate medical treatment. In regard to the determination of the time of injuries, a specific determination was to be made as to whether said injuries occurred within the 72 hour period prior to the examination.

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[redacted] began examining prisoners at approximately 9:30 AM on September 21, 1971. He examined prisoners in Cell Block A accompanied by a correction officer (name unknown) and a recorder (name unknown) who was to record his medical findings. He examined approximately 120 prisoners, examining each prisoner in his cell after the prisoner removed his clothing. He determined that approximately 30% to 35% of the prisoners that he examined were injured and that approximately 90% of the prisoners he examined were black. He advised that the prisoners who had sustained injuries, for the most part, suffered minor abrasions and contusions. He described an abrasion as a scraping of the skin and a contusion as a scraping of the skin accompanied by swelling. Most of these wounds appeared to be on the extremities, the upper back and shoulders, and the lower abdominal region and buttocks. These wounds appeared to [redacted] as caused by blows from a blunt instrument. In addition, two prisoners appeared to have suffered arm fractures inasmuch as they complained of severe pain accompanying the contusions. The diagnosis of the wounds of these prisoners was not conclusive and x-rays were ordered. The results of these x-rays are unknown to [redacted]. It is [redacted] opinion that none of these wounds occurred during the 72 hour period prior to the examination and it appeared to him that all of the wounds that he examined were at least one week old or older. As best he could determine, the prisoners had received medical treatment prior to his examinations for their wounds. He noted that one prisoner's

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abrasion appeared to be infected although it was covered by a dressing. He had the recorder note that the dressing should be changed and the wound should receive additional treatment to eliminate the infection. He stated that during the examinations, he was accompanied at all times by a correction officer and the recorder, although they did not interfere with any part of the examinations or any communication between the prisoners and himself. He stated that several of the prisoners were extremely verbose and complained about the conditions at Attica, but none of the prisoners he examined stated that they had been beaten at any time since the disturbance was quelled. The examinations were concluded at approximately 2:30 PM and it is [redacted] understanding that the recorder turned over all the notes he made to [redacted] departed ACE at approximately 3 PM on September 21, 1971. [redacted] commented overall that the prisoners all appeared to be in "good health" although some were suffering from such diseases as diabetes and asthma.

[redacted] advised that he does not recall the names of any of the prisoners he examined. He stated that he spent approximately two to five minutes during the examination of each prisoner, yet he felt he could have spent as much time as he wanted with each prisoner since there was no interference by anyone with his examinations.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted]
[redacted] New York, was interviewed at his office, [redacted]
[redacted] New York. He was advised of the identity
of the interviewing Agents and the nature of the interview.
He provided the following information concerning his
activities at the Attica Correctional Facility (ACF),
Attica, New York, prior to and subsequent to the quelling
of the disturbance on September 13, 1971.

Prior to furnishing this information, [redacted]
provided the following information concerning his educational
background and medical qualifications:

[redacted]

On September 11, 1971, [redacted] accompanied
by Buffalo [redacted] traveled to the Attica
Correctional Facility (ACF) to satisfy their personal
curiosity concerning the disturbance that was occurring at
Attica. [redacted] attempted to enter Attica to see a
patient of his who was not involved in the disturbance, but
was turned away at the gates by a correction officer.

On September 14, 1971, [redacted] received a
telephone call from [redacted] the
Commissioner of Health, State of New York, Albany, New York.
[redacted] requested that [redacted] contact local
Buffalo physicians to go to Attica and gain entry there to
observe the conditions that were occurring and the medical
treatment being afforded to prisoners subsequent to the

On 10/23/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and
WILLIAM C. KASH/GCS:mlr Date dictated 10/23/71

- 58 -

quelling of the disturbance on September 13, 1971. [redacted] contacted the following individuals and requested that they accompany him to Attica:

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[redacted] advised that [redacted] accompanied him to Attica the evening of September 14, 1971, and [redacted] was permitted to enter ACF although he, [redacted] was not.

On September 15, 1971, [redacted] accompanied by [redacted] again traveled to Attica and attempted to enter ACF but were denied admittance.

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On September 16, 1971, [redacted] went to Attica and were denied admittance.

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[redacted] advised that on each occasion, the correction officer at the gate of Attica advised him that he could not enter without the permission of a [redacted] [redacted] believes is the head physician at Attica.

On September 19, 1971, [redacted] again traveled to Attica accompanied by [redacted] in an attempt to contact a client of [redacted] who is a prisoner at the facility. On this occasion [redacted] was permitted to enter the facility and was allowed to talk with [redacted] client.

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[redacted] does not recall the name of the prisoner he talked with. [redacted] advised that he was permitted to talk to this prisoner in a small room which appeared to be a visitor's room and had complete privacy although a guard stood outside the closed door to the room. [redacted] advised that this prisoner was in a state of mental duress which was caused by the disturbance at Attica. [redacted] stated that prior to the disturbance, this prisoner had shown signs of emotional anxiety.

During the interview, [redacted] made several references to the fact that he had been lied to by several individuals among whom was [redacted] of Medicine, Edward J. Meyer Memorial Hospital, Buffalo, New York. [redacted] also advised that he had been misled and lied to by the correction officer at the gate at Attica although he could not recall specific instances in either case.

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BU 44-592

-3-

[] During and subsequent to the interview, []
[] stated that he felt that this investigation was
pointless since no beneficial action would be taken
by any agencies involved.

[] advised he did not witness any injuries
received by prisoners at Attica Correctional Facility.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/24/71

[redacted] Genesee County War Memorial Hospital, Batavia, New York, was interviewed at his office in the hospital and freely and voluntarily furnished the following information. He was advised that this information could be used in a Court of Law and was also advised of the identity of the interviewing Agents.

Regarding the Attica situation, he advised the hospital received several medical alerts prior to Monday, September 13, 1971, and kept track of events occurring at the hospital through the radio communication monitor at the hospital. The hospital monitored a radio request that more surgeons were needed at the Attica Correctional Facility (ACF). A second radio call reflected that no nurses were needed, just surgeons, and accordingly [redacted] went to ACF with [redacted]

[redacted] another hospital staff surgeon, at approximately lunch time on Monday. He arrived at ACF at approximately 1 PM and remained there until 6 PM. Immediately upon arrival at ACF, he went to the ACF hospital area escorted by guards. He noted the situation at that time appeared to be chaos, disorganized with a complete break down of facilities and many injured lying on stretchers outside the ACF hospital facility. His general impression was one of chaos with the medical effort lacking direction as they had apparently lacked any type of medical plan for the results of the assault or had just not expected the magnitude of the casualties as a result of the assault. He also noted a break down in communication and the lack of coordination and direction to the medical effort. He classed the prison medical facility as very inadequate for a medical emergency of this magnitude.

He furnished the following names of doctors who worked with him in the initial medical effort and were associated with Genesee County War Memorial Hospital:

[redacted]

The following nurses assisted him in the operating room:

On 10/23/71 at Batavia, New York File # Buffalo 44-592
by SAC SVLVESTER R. SMITH and [redacted] /VP:mlr Date dictated 10/23/71

- 61 -

[redacted]
[redacted] performed two operations on Monday, September 13, 1971. The first was on a Negro male, First Name Unknown [redacted] for abdominal multiple bullet wounds and hip wounds. The second operation was on a Negro male by the name of [redacted] for a compound fracture of the right elbow due to gunshot. [redacted] classed the wounds as being inflicted by bullets not pellets from a "shotgun".

On Tuesday, September 14, 1971, [redacted] was only at the facility from 8 AM to 9 AM for the purpose of checking the patients he had operated on. He did not remain at the facility as the surgical teams from the Edward J. Meyer Memorial Hospital who were used to working with each other were completely set up and thus he deemed his further service at ACF unnecessary. He has no records of the operations he performed as he orally furnished the information at the time of the operations to an operating room nurse apparently from the Edward J. Meyer Memorial Hospital who recorded the information. He estimated the total number of inmate casualties as 75 and classed the figure of inmate casualties quoted in the newspapers of 300 as being utterly ridiculous.

He noted that the majority of the prison inmates were Negro and it was his contention that it would be very difficult for the casual observer passing by to detect bruises on the Negro inmates.

[redacted] frequently referred back to the general chaotic situation, noting that emotions on both sides were running extremely high and that fear on both sides played a large part in the wild statements, rumors and accusations that were sometimes taken for fact due to their continued repetition. He noted some of the difficulties in a medical vein were basic ones such as the lack of any water to scrub in prior to operating as the prison water system had been damaged by the inmates, so he was told. In this case, he considered any positive action or any medical accomplishment better than standing around "wringing your hands".

During the time [redacted] was at ACF, at no time did he see any physical abuse of the inmates and at no time did he see anything that could be classed as deprivation of medical assistance to the inmates.

FEDERAL BUREAU OF INVESTIGATION

Date 10 /3/71

[redacted] residing at [redacted] National Medical Association, 1717 Massachusetts Avenue, N.W., was interviewed at her residence, at which time she made available the following information:

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On September 11, 1971, accompanied by [redacted] [redacted] she went to the Attica Correctional Facility as part of a delegation representing the National Association. The purpose of this trip was to assist in the negotiation of a settlement and to administer any necessary first aid. The delegation stayed at the Facility until Monday morning, September 13, 1971. The delegation was never admitted to the prison.

[redacted] returned to Attica on Wednesday, September 15, 1971 with [redacted] at the Howard University School of Medicine, and [redacted]. The purpose of this return trip was to treat inmates who had sustained injuries during the takeover of the prison. However, the delegation was again refused admittance to the prison. The delegation remained at the prison for two days, during which time [redacted] spoke with numerous individuals who had been inside the prison gates.

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Although she heard rumors of brutality by the guards and state troopers, she did not speak with anyone who had witnessed any acts of brutality. She personally did not witness any acts of brutality and could name no one who had first-hand information of such acts.

On 10/23/71 at Washington, D. C. File # BU - 44 -592
by SA [redacted] LRM:rms Date dictated 10/23/71
SA [redacted]

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- 63 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/23/71

[redacted]
[redacted]
[redacted] was telephonically contacted by Special Agent [redacted] regarding an appointment for interview in regard to the Attica, New York Prison investigation. The purpose of the interview was carefully explained to him. He advised he would be at home and available for the interview.

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Special Agent [redacted] went to his residence and upon identifying himself as a Special Agent of the Federal Bureau of Investigation, [redacted] stated he would consent to the interview only if he were allowed to record the interview. Special Agent [redacted] again explained the purpose of the interview to him and advised him it would not be possible to conduct the interview under those circumstances. As Special Agent [redacted] was leaving, [redacted] stated that he had no direct knowledge of specific acts of brutality and could have only provided the names of persons who claimed to have seen the results of the brutality. He went on to say that he understood ~~that the Federal Bureau of Investigation~~ had already interviewed [redacted] and probably got what ever information he had from her, as he was with her at Attica and she possessed the same information.

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On 10/23/71 at Langley Park, Maryland File # BU - 44 - 592
by SA's [redacted] and [redacted]:wan Date dictated 10/23/71

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FEDERAL BUREAU OF INVESTIGATION

Date October 23, 1971

[redacted] residing at [redacted]
[redacted] Howard University
School of Medicine, was interviewed at Freedman's Hospital,
6th and V Streets N.W., Washington, D.C. at which time he
made available the following information:

On September 11, 1971, accompanied by [redacted] and
[redacted] he went to the Attica Correctional
Facility as part of a delegation representing the National
Medical Association. The purpose of this trip was to assist
in the negotiation of a settlement and to administer any
necessary first aid. The delegation stayed at the Facility
until Monday morning, September 13, 1971. The delegation was
never admitted to the prison.

The delegation returned to Attica on Wednesday, September
15, 1971, for the purpose of treating inmates who had sustained
injuries during the take over of the prison. However, the
delegation was again refused admittance. [redacted] advised
that the delegation did remain outside the prison gates and
spoke with numerous persons who had been inside the prison.

Although he had heard rumors of brutality by the guards
and troopers, he did not speak with anyone who had witnessed
any acts of brutality. He personally did not witness any
acts of brutality and could name no one who had first hand
information of such acts.

On October 23, 1971 Washington, D.C.BU - 44 - 592
File # WFO 44-861SA's [redacted]
[redacted]

LR.:lrn

Date dictated 10/23/71

- 65 -

FEDERAL BUREAU OF INVESTIGATION

1.

Date 10/21/71

Mr. EDWARD CARR, Chief Attorney for the Legal Aid Society of New York, 11 Park Place, New York City (NYC), New York (NY), presented Special Agent (SA) [redacted]

[redacted] with a copy of the transcript of proceedings of Civil Action #1971-410 (Inmates of the Attica Correctional Facility, [redacted] on behalf of themselves and all other persons similarly situated).

As plaintiffs versus (NELSON ROCKEFELLER, Governor, State of New York; RUSSEL G. OSWALD, Commissioner of Corrections of the State of New York; [redacted]

[redacted] Attica Correctional Facility) as defendants in United States District Court for Western District of NY at Buffalo, NY. These transcripts cover such hearings on September 14 to September 16, 1971, September 23, 1971, September 27, 1971, September 30, 1971, October 4, 1971, October 5, 1971 and October 6, 1971. He also presented SA [redacted] with a copy of his letter of September 25, 1971 to DAVID L. NORMAN, Assistant Attorney General, Civil Rights Division of Department of Justice, Washington, D.C. He also presented a copy of his letter of October 6, 1971 to the same individual. These letters are as follows:

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BU - 44 - 592

On 10/20/71 at New York, New York File # 44-2086
by SAS [redacted] led
FI/ea Date dictated 10/21/71

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TELEPHONE:
BARCLAY 7-2755

THE LEGAL AID SOCIETY

ELEVEN PARK PLACE

NEW YORK, N. Y. 10007

EDWARD Q. CARR, JR., ATTORNEY-IN-CHIEF
MARY B. TARCHER, ASSISTANT ATTORNEY-IN-CHIEF

September 25, 1971

ORISON S. MARDEN
Chairman of the Board

LEON SILVERMAN
President

PETER H. KAMINER
ROBERT MCKAY
SHELDON OLIENSIS
POWELL PIERPOINT
Vice-Presidents

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Treasurer

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Assistant Treasurer

SAMUEL W. MURPHY, JR.
Secretary

MRS. EDWARD B. EDWARDS
Assistant Secretary

Honorable David L. Norman
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington, D. C.

Dear Mr. Norman:

You are surely acquainted with the published reports of the incidents that occurred at The Attica Correctional Facility on September 13th when a force of New York State police, national guardsmen and correction officers put down an uprising by those prisoners who had taken control of a section of the prison and who held a number of correction officers as hostages for several days.

The authorities have stated that many persons were killed by gunfire in the action of the police, nine of whom were hostages.

Legal Aid lawyers have been interviewing our clients in the prison since September 17 and so far have taken statements from about 120 prisoners detailing the events of September 13 and the following days. Many of these prisoners have told us of physical violence inflicted on inmates by state police and other state officials far in excess of the force which may have been justified in retaking the prison. Much of this violence occurred apparently as punishment after the authorities had clearly regained control of the institution. The statements have included accounts of prisoners being shot and perhaps slain while obviously seeking to surrender, while attempting to flee the hail of gunfire, and in some cases, while lying on the ground. Prisoners have described to us beatings of inmates who had surrendered and been stripped, many of

THE LEGAL AID SOCIETY

ELEVEN PARK PLACE

NEW YORK, N. Y. 10007

EDWARD Q. CARR, JR., ATTORNEY-IN-CHIEF
MARY B. TARCHER, ASSISTANT ATTORNEY-IN-CHIEF

September 25, 1971 -2-

TELEPHONE:
BARCLAY 7-2755ORISON S. MARDEN
Chairman of the BoardLEON SILVERMAN
PresidentPETER H. KAMINER
ROBERT MCKAY
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Assistant TreasurerSAMUEL W. MURPHY, JR.
SecretaryMRS. EDWARD B. EDWARDS
Assistant Secretary

whom were forced to run gauntlets of troopers and correction officers who beat them severely with gun butts and staves. A number of those men, we understand, are presently in hospitals being treated for their injuries. Our lawyers have observed these injuries.

In our view there is ample basis in the information given to us by our clients to justify and indeed require a thorough investigation by the Department of Justice of the violations of the federal civil rights laws that appear to have occurred in Attica Prison on and after September 13. The only New York investigation by an official charged with prosecuting violations of the law appears to be directed at developing cases against prisoners. The other authorized state inquiries do not have any prosecutorial function or authority.

It seems certain that any crimes of prisoners in Attica will be prosecuted vigorously by the New York authorities. An even-handed administration of justice, essential to respect for the law especially in the communities of the poor, requires that equal vigilance be devoted to the investigation of instances of official misconduct and oppression which violate the laws of the United States.

Very truly yours,

LEON SILVERMAN
President

EDWARD Q. CARR, Jr.
Attorney in Chief

LS:hp

-68-

THE LEGAL AID SOCIETY

ELEVEN PARK PLACE

NEW YORK, N. Y. 10007

BU - 44 -592

4.

October 6, 1971

Hon. David L. Norman
Assistant Attorney General
Civil Rights Division
U. S. Department of Justice
Constitution Avenue between
9th and 10th Streets
Washington, D. C. 20530

Dear Mr. Norman;

With reference to the situation at Attica State Prison which Mr. Silverman and I discussed with you and Messrs. O'Connor and [redacted] of your staff on September 27, this is to confirm the report I made to Mr. O'Connor by telephone this morning.

We are told by our staff lawyers who have been engaged in the proceedings before Judge Curtin in Buffalo that the minutes of the testimony given in that case on September 16 and 30, and October 4 and 5 contain much information that would be helpful in an investigation of the possible violations of the civil rights of prisoners.

Those minutes would include the testimony of [redacted] a National Guard member who was in the prison on September 13 and observed the events; of a number of prisoners concerning those events; of Warden Mancusi and the testimony of Assemblyman Eve, New York legislator who was in the prison with the negotiating

BU. 44 -592

5.

Hon. David L. Norman

- 2 -

October 6, 1971

committee on and before September 13.

We are also told that in the district court on Monday October 4 in the course of the proceedings before Judge Curtin [redacted]

[redacted] appearing for the state in that matter, announced that his superior Mr. Fischer had requested of the Department of Justice that it undertake an investigation of the possible violations of the civil rights of prisoners by state officials on and after September 13. [redacted] statement lends powerful support to the request put to you by Mr. Silverman and myself on September 27.

We are very eager to receive your answer to our request, as it seems to us that time is of the essence in this matter.

Very truly yours,

EDWARD Q. CARR, JR.
Attorney-in-Chief

EQC:pw

cc: Hon. William O'Connor

SPECIAL DELIVERY

BU - 44 -592

6.

Mr. CARR advised that besides the transcript, there is further information on Attica which would take at least a week to assemble and provide to the F.B.I.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/22/711.

Mr. EDWARD CARR, Chief Attorney of Legal Aid Society of New York City (SYC), New York (NY), telephonically advised that by next Wednesday, October 27, 1971, he would have a list of names of the Attica inmates interviewed by the Legal Aid Society and provide same to the Federal Bureau of Investigation (FBI).

He advised that his staff of attorneys is very busy and as to the request of the FBI for copies of all the statements made by such inmates, he will begin attempting to provide us with such statements. He advised that this will take a great deal of time since they must first consult with their client inmates as to whether they want such statements released to the FBI. If they find out from these inmates that they are no longer represented by Legal Aid Society, they will then have to ascertain the name of their present legal counsel and then forward such information to the FBI so that they can then contact such attorneys.

He advised that on September 27, 1971, he telephonically talked with Mr. DAVID NORMAN, Assistant Attorney General In Charge of the Civil Rights Division of the United States Department of Justice and he advised NORMAN of the difficulty in providing such statements when NORMAN asked if it was possible to get copies of statements of inmates of Attica taken by Legal Aid Society.

He advised that he will put his position on this matter in a letter he will write to Special Agent [redacted] today and will forward a copy of such letter to NORMAN.

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on 10/22/71 at New York, York BU - 44 - 592
File # 44-2086

[redacted] pal Date dictated 10/22/71

- 72 -

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FEDERAL BUREAU OF INVESTIGATION

1.Date 10/21/71

Mr. LEAN SILVERMAN, President of the Legal Aid Society of New York City, New York, telephonically advised that he could add nothing to the information provided by Mr. CARR on October 20, 1971, to the Federal Bureau of Investigation (FBI). He stated he is pleased that the United States Department of Justice (FBI) has undertaken this investigation.

BU - 44 - 592

On 10/21/71 at New York, New York File # 44-2086by SA [redacted] pal *AYE* - 73 - Date dictated 10/21/71

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FEDERAL BUREAU OF INVESTIGATION

1.

Date 10/22/71

[redacted] of Legal Aid Society of New York City (NYC), New York, was interviewed at such society's office at 11 Park Place, Manhattan, NYC, New York. He advised that on September 9, 1971, such society, hearing of the disturbances at Attica Correctional Facility at Attica, New York, and wishing to look after the interests of their clients in such institution, telephonically contacted [redacted] Counsel for Office of Commissioner of Correction of State of New York at Albany, New York. They notified him that they were going to Attica and he advised he would make arrangements. On September 9, 1971, they arrived at Attica Correctional Facility with lawyers and medical aid, but they were turned away. On September 13, 1971, they heard of shootings at Attica Correctional Institution and left from NYC by motor vehicles with lawyers and medical aid. They arrived in Buffalo, New York, on the same day and got in touch with United States District Court Judge JOHN T. CURTIN of Western District of New York at Buffalo, New York. On the p.m. of September 13, 1971, Judge CURTIN signed a Restraining Order which in effect required the authorities at Attica Correctional Institution to admit 33 named attorneys, not to interview some of the clients of such attorneys at Attica until such attorneys were present at the interviews and to allow admittance to the medical teams which such attorneys had brought with them. On the early a.m. of September 14, 1971, such contingent of attorneys and the medical team arrived at Attica Correctional Institution, where [redacted] was served with such order by the attorneys. He would not admit them and they understood that he had instructions to accept such order, but not to obey it. They then called Judge CURTIN and he advised that he would have a hearing on this matter at the United States District Court in Buffalo, New York later on September 14, 1971.

He advised that Legal Aid Society interviewed approximately 200 inmates who were at the Attica Correctional Institution during the disturbances, but he can recall only the name of six of these persons. He will search the records

On 10/20/71 at New York, New York BU - 44-592
SAS [redacted] /pal File # 44-2086
by _____ Date dictated 10/22/71

- 74 -

BU - 44 -592
NY 44-2086
2.

of such society and will have available a list of the names of the rest of the persons interviewed within a week. The names of the six are as follows:

[redacted] - presently at Manhattan House
of Corrections, NYC, New York

[redacted] still at Attica

- still at Attica

still at Attica

- still at Attica

released on parole and presently
lives at [redacted] New York

[redacted] advised that the first time Legal Aid Society was able to interview any inmates at Attica Correctional Facility was on September 17, 1971 and that they were given only four rooms in which to do such interviews. Such institution still has only four rooms available for such interviews. He advised that the following legal organizations also interviewed inmates at Attica and the following named men from such institutions should have information on such interviews:

National Association for Advancement of
Colored People's Defense Fund - [redacted]
[redacted] New York

American Civil Liberties Union - [redacted]
[redacted] New York

National Lawyers Guild - [redacted]
[redacted] New York

National Conference of Black Lawyers - [redacted]
[redacted], New York

BU - 44 -592

NY 44-2086

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Center for Constitutional Rights - [redacted]

[redacted]
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[redacted] advised that a large number of the inmates interviewed at Attica by Legal Aid Society alledged beatings. He can only presently recall the names of [redacted] as making allegations of being beat after or during the takeover of Attica by the authorities. He will review his records and within a week will supply the names of the inmates who alledged beatings to Legal Aid Society.

He advised that ARTHUR EVE, New York State Assemblyman from Buffalo, New York would have a lot of information to provide the Federal Bureau of Investigation (FBI).

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/24/71

[redacted] was contacted at his residence in Rochester, New York on October 23, 1971. [redacted] at that time made available two reels of eight millimeter film, which are numbered One and Two.

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These films are located in Exhibit A-1.

On 10/23/71 at Rochester, New York File # Buffalo 44-592

by SA [redacted] and PAJ:caw Date dictated 10/24/71

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- 77 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/27/71

[redacted] Captain, New York State Police, acting under instructions of [redacted] Assistant Attorney General for the State of New York, made available two reels of eight millimeter film.

[redacted] explained when doing so, that these two reels represented 11 shorter film segments, which were taken at the time of the riot and subsequent retaking of the prison during the period of September 9-13, 1971.

[redacted] explained that the 11 small reels are being maintained separately by him, but were reproduced in their entirety on the two reels furnished as a matter of convenience in both duplicating and viewing.

These two films can be found under Exhibit A-1.

On 10/27/71 at Attica, New York File # Buffalo 44-592

SAs [redacted] and CARL E. UNDERHILL/CE:ca w by [redacted] Date dictated 10/27/71

- 78 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/27/71

[redacted] through Captain [redacted]
New York State Police, made available two reels of video
tape taken by the New York State Police at the Attica
Correctional Facility during the disturbance.

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The tapes furnished are copies and the originals
are being maintained as evidence by the New York State
Police.

These video tapes can be found under Exhibit A-3.

On 10/27/71 at Attica, New York File # Buffalo 44-592
SAs [redacted]
by CARL E. UNDERHILL/CEU:caw Date dictated 10/27/71

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-79-

FEDERAL BUREAU OF INVESTIGATION

Date 10/27/71

[redacted] through Captain [redacted] made available the following photographs and where available, the legend or inventory of same:

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128 color prints, which were taken by Monroe County, New York personnel for the New York State Police. These photographs bear the identifying data "MC" followed by the appropriate number. The inventory or legend of these pictures was also made available.

346-35 millimeter slides, which are referred to as Trays A to E in the legend or inventory which was also made available. These photographs were taken by New York State Police personnel. It is noted that in connection with Tray C of these slides, that the scenes depicted were analyzed by one [redacted] on the New York State Attorney General's Staff.

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Further in connection with these photographs, an additional 89 duplicate and dud slides were furnished.

143 color photographs, which were taken by New York State Police personnel in what is inventoried as the "E" series. The "E" series inventory revealed that there were 192 pictures in said series. Pictures 1 through 42 were not furnished as they are of deceased hostages and have been removed to individual autopsy files. Photographs 103 and 111 could not be located nor could photographs 188 through 192. The "E" series legend inventory was also made available.

60-3"x5" color photographs of Attica, taken by [redacted] of the New York State Police. No inventory or legend list has been prepared in connection with these pictures.

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Three boxes containing a total of 118 slides, 35 millimeter, of scenes at Attica.

Four manila folders containing a total of 122 8"x10" black and white photographs. Folder One contains

On 10/27/71 at Attica, New York File # Buffalo 44-592

SAs CARL E. UNDERHILL and
by [redacted] CEU:caw Date dictated 10/27/71

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- 80 -

59 photographs; Folder Two contains 18 photographs; Folder Three contains 15 photographs; and Folder Four contains 30 photographs.

Folders One, Two and Four contain a legend. There is no legend or inventory available for Folder Three.

461 - 8"x10" black and white photographs depicting scenes at Attica during the uprising and retaking. These photographs are contained in 25 envelopes and the legend for each of the envelopes has been provided.

It is noted in connection with the numbering sequence of the black and white photographs, that all of the film packs were first sent from Attica to the New York State Police Photo Lab at Troop "A" headquarters in Batavia, New York. The color film packs were thereafter deleted and sent to the Color Processing Laboratory of the New York State Police, which is located at Troop "E" headquarters at Canandaigua, New York.

Troop "E" did not thereafter number their photographs in the same manner as did Batavia and the "E" series photographs resulted as set forth above.

These photographs can be found under Exhibit A-2.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] New York State Police, brought three reels of video tape to the Frauenheim Processing Company, Inc., 180 South Park Avenue, Buffalo, New York, for the purpose of having one duplicate copy made and furnished to the Federal Bureau of Investigation. Each of these original reels furnished by [redacted] were described as 20 minute reels, helical scan, two inch video tape.

Tape Number One, according to the log furnished by [redacted] indicated that taping began at 12:30 PM, September 12, 1971 and continued intermittently until 4:40 PM, September 12, 1971. The equipment is described as a Craig VTR, Model 6406V, Serial Number 05290004. This equipment was operated by Detective [redacted] of the Niagara Falls, New York Police Department.

Tape Number Two started at 4:35 PM, September 12, 1971 and was operated intermittently by Detective [redacted] with the same equipment being used until 9:40 AM, September 13, 1971. During the time that Tapes One and Two were being operated, Attica Correctional Facility power was being utilized.

Tape Number Three was operated continuously by Detective [redacted] from 9:40 AM until 10:20 AM on September 13, 1971. [redacted] said it appeared obvious that Tape Number Three was used up; however, Detective [redacted] continued to operate the camera because it would show what was happening on the monitor, even though the events were not being recorded on the tape.

[redacted] said the location of this equipment was at a point in Cell Block "C", approximately 100 yards in distance from the nearest perimeter surrounding the area controlled by the rioting inmates.

[redacted] further explained that the Attica Correctional Facility has four exercise yards, each exercise yard being approximately 100 yards square and all being surrounded by Cell Blocks A, C, B, and D going

On 10/23/71 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] caw Date dictated 10/23/71

-82-

clockwise. Dividing these four exercise yards are walkways intersecting in the center and this intersection is referred to as Time Square.

The aforementioned video tapes were duplicated by [] an employee of the Frauenheim Process Company, Inc. [] utilized one sixty foot tape plus one twenty foot tape. It is pointed out that even though the three original reels were described as being reels of 20 minutes each in length, the sixty foot tape did not hold all of the three original reels, therefore, the twenty foot reel was utilized to include the remainder of the third original reel and there is an overlap of approximately one minute on this twenty foot duplicate reel.

[] stated he has determined that there was considerable "hash" on the third original reel, which he explained was caused by the switching over from institutional power to 12 volt battery power immediately prior to the retaking of the institution. He said this situation was further aggravated in that the batteries being utilized to operate the equipment were weak and only measured 10.5 volts. [] further stated the "hash" on any duplicate made would be intensified. He said, however, the "hash" can be eliminated, but eliminated only on the original video tape through a time-lapse type of procedure which would require in his estimation, approximately 24 hours of work by one man. He said absolutely nothing can be done to improve the duplicate video tape.

[] said there is no audio on the first two tapes inasmuch as the operator was triggering the tape in the reverse direction. He said, however, there is audio on the third tape, which can be amplified to some extent by turning the volume of the monitor up full. He said the quality of the sound on the original sound track could be improved by costly and lengthy processes, utilizing special equipment. He said to date nothing has been done to change or alter in any way the original three video tapes.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] Attica Correctional Facility, stated that he had no information concerning any medical reports that had been prepared after the assault had taken place.

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He stated that [redacted] who was the doctor charged with the responsibility of overseeing the medical facilities at each New York State Correctional Institute, had been on the scene during the entire time and could possibly furnish the identities of any doctors who participated in prisoner and hostage treatment.

On 10/21/71 at Attica, New York File # Buffalo 44-592
by [redacted] Date dictated 10/23/71

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- 84 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[] advised that he is the prison physician for the Attica Correctional Facility.

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[] advised that when the riot took place, there were many doctors who came to the facility to be of assistance.

[] advised that [] who is the doctor having overall responsibility for the medical facilities for all New York State Correctional Institutions was on the scene.

[] advised that he did not make any listing of any of the doctors or nurses who reported to Attica and he doubted that any such list had been made by anyone.

He pointed out that the doctor teams had checked over patients on a need basis, notations were made by the doctors on sheets of paper, which he believed contained the name and number of the inmate and what medication was issued.

He stated that these were ~~nothing more~~ than notations and in his opinion, were valueless. [] stated that he had, however, maintained these sheets of paper in the bottom drawer of his desk, but they had disappeared from his desk and he did not know who had taken them, nor could he say when they had disappeared. He advised that these were the only records made to his knowledge of the treatment after the prison had been retaken.

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He said it was conceivable that [] had taken these records or that the investigating team could have them, although he said he believed he would have known about it if the investigative team had them.

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On 10/22/71 at Attica, New York File # Buffalo 44-592

by SAs []
by CARL E. UNTERHILL Date dictated 10/23/71

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- 85 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

Captain New York State Police
when queried as to any medical reports that the
investigating team have obtained, stated that medical
records had apparently not been kept in any great detail.

He then furnished a list of wounded inmates as
of September 19, 1971. This list of names was prepared
on a Form F-48, under the letterhead of State of New York,
Department of Correction, Attica Correctional Facility.
This list contained the following named inmates:

Name	Inmate Number
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On 10/21/71 at Attica, New York File # Buffalo 44-592

by SAs CARL E. UNDERHILL and
 IME:caw Date dictated 10/23/71

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BU 44-592

-2-

Name

Inmate Number

--

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Captain [] stated that it is not known who made these records or when they were made. He said he can only assume that the injuries were received after the assault and retaking the facility had commenced. He said prior to that time, some inmates came out of the cell block area which was under the control of the rioting inmates voluntarily, ~~to the area~~ and these persons names may be included in this list of treated inmates.

This information can be found under Exhibit B-3.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] Attica Correctional Facility, made available the following list of inmates who had been transported to the E. J. Meyer Memorial Hospital for treatment following the retaking of the prison facility by authorities.

[redacted] noted that two names on the list appear twice, as two men were sent to E. J. Meyer Memorial Hospital on two separate occasions.

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On 10/21/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] Date dictated 10/23/71

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October 21, 1971

PATIENTS - MEYER MEMORIAL HOSPITAL

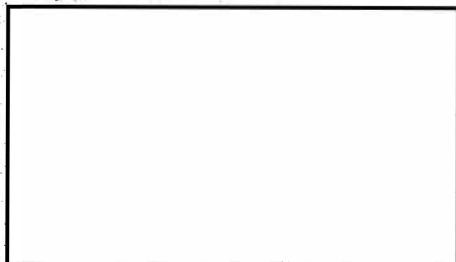
<u>NO.</u>	<u>NAME</u>	<u>ADMITTED</u>	<u>RETURNED</u>
[REDACTED]		9/13/71	10/9/71
[REDACTED]		9/13/71	9/16/71
25496	Edward R. C. I. Menefee <i>deceased</i>	9/13/71	DIED 9/25/71
[REDACTED]		9/13/71	9/22/71
[REDACTED]		9/13/71	
[REDACTED]		9/13/71	
[REDACTED]		9/13/71	9/23/71
[REDACTED]		9/13/71	
[REDACTED]		9/14/71	9/24/71
24486	Richard L. Moore <i>deceased</i>	9/14/71	DIED 9/23/71
[REDACTED]		9/14/71	
27449	William McKinney <i>deceased</i>	9/14/71	DIED 9/14/71
[REDACTED]		9/15/71	
[REDACTED]		9/15/71	
[REDACTED]		9/15/71	
[REDACTED]		9/15/71	
[REDACTED]		9/15/71	
[REDACTED]		9/17/71	
[REDACTED]		9/19/71	
[REDACTED]		9/19/71	
[REDACTED]		9/23/71	
[REDACTED]		9/23/71	
[REDACTED]		9/25/71	10/4/71

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BU 44-592

-3-

- Page 2 -



N/

9/25/71

10/4/71

10/16/71

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

Captain [redacted], New York State Police, made available autopsy reports for 28 prisoners who died as a result of the law enforcement assault to regain control of Attica Prison.

Captain [redacted] also made available nine autopsy reports for hostages who died.

He could not locate on October 21, 1971, a report for Sergeant [redacted] and he stated he would make every effort to locate same.

[redacted] did make available on October 22, 1971 the autopsy report on CUNNINGHAM.

[redacted] pointed out that the reports on the prisoners are not in chronological order because the medical examinations conducted by [redacted] of the New York City Medical Examiners Office were prepared on one report and were not capable of then being broken down as were the others.

[redacted] also pointed out that in the examinations conducted by [redacted] there were some minor errors and [redacted] was sending his secretary to the Attica Correctional Facility on Wednesday, October 27, 1971 to make those minor corrections.

[redacted] stated he had been informed that the changes were minor and of such a nature as to have no bearing or would not make any drastic change in the significance or conclusion of the report.

The prisoners autopsy reports can be located in Exhibit B-2b. The hostage autopsy reports can be located in Exhibit B-2a.

Captain [redacted] stated that in regard to the autopsies conducted by [redacted] each of these doctors took autopsy photographs, none of which were furnished to the State Police and should be still

On 10/21-22/71 at Attica, New York File # Buffalo 44-500

SAs CARL E. UNDERHILL and [redacted]

by [redacted]

Property of the 10/23/71

BU 44-592

-2-

in possession of the doctors. [redacted] works out of the
New York Medical Examiner's Office and can be located at
571 First Avenue in New York City. [redacted]
[redacted] Westchester County and can be located
at the Valhalla Hospital in Valhalla, New York.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] was recontacted following the interview of [redacted] of the New York State Department of Correctional Facilities.

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[redacted] advised that the portions of the records referred to by [redacted] as the examinations by the team of nine physicians would be the autopsy protocols by the nine medical examiners.

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[redacted] stated that these autopsy protocols had been furnished to him and were the items which had been furnished to the Federal Bureau of Investigation by Captain [redacted], consisting of autopsy reports for 28 prisoners and 10 hostages.

[redacted] said that he had no additional medical records which had been furnished him by [redacted]

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On 10/23/71 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] Date dictated 10/23/71

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- 93 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/23/71

- 1 -

Based in information furnished by [redacted]
[redacted] after having been
advised of the identities of the interviewing Agents
and of the nature of the inquiry, was interviewed and
provided the following signed statement:

"Buffalo, New York
October 22, 1971

"I, [redacted], do
freely and voluntarily make the follow-
ing statement to [redacted] and
Bruce H. Norwell, III, who have identi-
fied themselves to me as Special Agents
of the Federal Bureau of Investigation.
No threats, promises, or coercion has
been used against me, and I understand
this statement may be used in a court
of law.

"On Wednesday, September 15, 1971,
I, [redacted]

[redacted]
[redacted] went to
the Attica Correctional Facility at Attica,

On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and
BRUCE H. NORWELL, III/AMD:pmg Date dictated 10/23/71

- 94 -

"New York, arriving at 11:30 AM.

"Upon our arrival and having cleared the security area, we were taken to the infirmary pharmacy and allowed to assemble those drugs necessary to treat any prisoners for medical illnesses. We were told by [redacted] resident Attica physician, that we were to treat those prisoners suffering from asthma, diabetes and general internal medical problems. We were advised that there had been no sick call for over one week due to the riot.

"We then went to Cell block "E", broke into teams and covered the entire block. Our procedure was to interview each prisoner, inquire as to his physical condition, treat him according to his specific needs for internal medicine. There were only approximately 20 prisoners confined to Cell block "E" and I interviewed 4 or 5 of these prisoners.

"One Negro male, 27 years old name unknown, had a bullet wound in his right forearm which had previously been treated. The prisoner told me he had been wounded by a bullet. I determined that all he needed was a clean bandage, which I provided, and thereafter referred him to a surgeon, name unknown. I noticed no significant medical problems in the others.

"Our group then went to Cell block "A" where we again divided and covered the entire cell block area. I observed that most of the cells were occupied by 2 men and 20% to 30% had two men to a cell. There were numerous

"surgeons making their rounds at this time in Cell Block "A", treating those with open wounds. Any individual I contacted who told me he had a bullet wound or had a bandage was not examined by me. I did notice, possibly five to ten persons with dirty bandages and changed them. A small, undetermined, number of inmates had casts on and were under the care of surgeons.

"I interviewed a total of somewhere between 200 and 300 prisoners. Approximately 30% of the prisoners had no complaints. Of the remaining prisoners, again specific number undetermined, the major complaint I received was for conjunctivitis, inflammation of the eyes and for superficial skin irritation, the result of tear gas. An undetermined number of individuals had bruises on the abdomen, buttocks and thighs. A small number of prisoners with wounds had lacerations of the scalp and back bruises. An approximation of this would be 50% of those complaining had bad bruises, and 30% to eyes, stomach or skin irritation. Those who were with bruises stated they had received these bruises immediately during and immediately following the assault on the prison on Monday, September 13, 1971. None of them complained of beatings after that time.

"I treated five prisoners for diabetes and three to five individuals who needed asthmatic medication. I referred a prisoner to the surgeon when he complained of dark urine, claiming he was hit in the side. We segregated one prisoner who told us he was under treatment for active tuberculosis.

"We were called to Cell Block "C" and [redacted] responded to treat a prisoner who had a diabetic problem. I noticed that the toilets were not working in Cell Block "A" and

"no toilet paper was available in the block. I was told the toilets were disabled during the riots, according to the Attica guards.

"All notes, names of prisoners treated, and those needing follow-up treatment were turned over to [redacted] who in turn compiled a master list to be submitted to [redacted]. I do not recall the specific name or number of any prisoner I treated.

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"We left the prison at approximately 6:00 PM.

"We returned to Attica at approximately 11:00 AM on September 16, 1971 and recontacted those determined previously to need follow-up treatment. We spent the majority of the day in Cell block "A". No prisoners reported any new injuries to me and medically I located none. One prisoner did claim he was bruised by clubbing during the night, but I located no medical evidence to substantiate this.

"At approximately 4:30 PM [redacted] and I went to the isolation area to treat an individual named [redacted] who claimed he [redacted] and had not been treated. We referred him to Meyer Memorial Hospital in Buffalo, New York.

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"I again state that I cannot positively state the number of prisoners I treated, examined or referred. I cannot state accurately the number of prisoners I observed with wounds, bandages, inflammations, and bruises. I have no records in my possession concerning the names of prisoners treated by me and do not recall the names of these individuals.

EU 44-592

- 5 -

"I have read the above statement consisting of this and 4 additional pages. I have initialed each page and all corrections and additions and now sign it because it is accurate and true to the best of my knowledge.

"/s/ [redacted]
"10/22/71

"Witnessed: [redacted] Special Agent,
FBI, Buffalo, N. Y., 10/22/71.
Bruce H. Norwell, Special Agent,
FBI, Buffalo, N. Y., 10/22/71."

[redacted] additionally advised that other individuals from Edward J. Meyer Memorial Hospital on duty at the Attica Correctional Facility were the following surgeons who were there from September 13, 1971 to at least September 15, 1971:

[redacted] further advised that the following doctors of internal medicine were present at the facility on Thursday, September 16, 1971:

[redacted]
Both from Meyer Memorial Hospital.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

Hospital Administration, Edward J. Meyer Memorial Hospital, 462 Grider, Buffalo, New York, was contacted regarding the number and identities of prisoners from the Attica State Correctional Facility admitted and treated at his hospital following the Attica disorder. [redacted] advised that he would provide the number and identities of those prisoners admitted and treated at his hospital; however, he would prefer any information obtained from the files of those prisoners be obtained through subpoena.

in the presence of the interviewing Agents, telephonically contacted [redacted] Erie County Attorney, and advised him of the Federal Bureau of Investigation (FBI) Agents' presence in his office, and of the FBI Agents' request for information regarding the number, identities, and records of prisoners from the Attica State Correctional Facility admitted and treated at his hospital following the Attica disorder. [redacted] agreed with [redacted] opinion, i.e., that [redacted] should provide the number and identities of the prisoners in question and any information from the files he obtained through subpoena.

[redacted] advised the subpoenas should be directed to [redacted] Hospital Administration, Edward J. Meyer Memorial Hospital.

[redacted] provided the following list of prisoner patients in the hospital as of October 21, 1971:

On 10/21/71 at Buffalo, New York File # Buffalo 44-598
by SAs [redacted] and [redacted] JEL:mlr Date dictated 10/21/71



[redacted] advised that the case records pertaining to the above list of names are being maintained daily on the hospital floor.

[redacted] provided the following list of prisoner patients who have previously been admitted and discharged:



N.Y. [redacted] provided the following list of prisoner patients who were admitted and died while under treatment at the hospital:

deceased
WILLIAM MC KINNY - dead on arrival
RICHARD MOORE
CLYDE MENIPHY

[redacted] stated that hospital records for the deceased patients are stored in a warehouse and are not immediately available.

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

 was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

 verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs jae Date dictated 10/22/71

- 101 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

NY
[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SA [redacted] and [redacted] /JFL;jae Date dictated 10/22/71

- 102 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] /JFL:jae Date dictated 10/22/71

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- 103 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

[] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

On 10/22/71 at Buffalo, New York File # Buffalo 44-259
by SA [] and [] /JFL:jae Date dictated 10/22/71

-104/-

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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b7C

[] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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b7C

On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [] and [] /JFL:jae Date dictated 10/22/71

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- 105 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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b7C

[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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b7C

On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] /JFL:ae Date dictated 10/22/71

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-166-

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 452 Grider Street Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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b7C

[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] Date dictated 10/22/71

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b7C

-107-

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

 was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street Buffalo, New York, who advised him of the nature of the inquiry. specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

 verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SA and /JL:iae Date dictated 10/22/71

-108-

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] JFL:iae Date dictated 10/22/71

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-109-

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71
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[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] Date dictated 10/22/71
JEL:gae

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-110-

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SA [redacted] and [redacted] /JFL:lee Date dictated 10/22/71

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- 111 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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[] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [] and [] JFL:jae Date dictated 10/22/71

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- 112 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[redacted] was contacted by Special Agents of the FBI while a patient at Edward J. Meyer Memorial Hospital, 462 Grider Street, Buffalo, New York, who advised him of the nature of the inquiry. [redacted] specific approval for the release of his medical records while a patient of Edward J. Meyer Memorial Hospital to authorized representatives of the FBI was requested.

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[redacted] verbally authorized the release of his medical records by Edward J. Meyer Memorial Hospital and signed specific authorization for such release by executing a form captioned "Authority to Release Information."

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On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] /SPJ:jac Date dictated 10/22/71

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- 113 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/24/71

NY
[redacted], Inmate, Attica Correctional Facility,
was advised of the nature of this inquiry.

[redacted] was requested to approve the release of
his medical records while he was a patient at the Edward J.
Meyer Memorial Hospital. [redacted] stated he would give his
approval if his [redacted] authorized same.

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Interviewed on 10/22/71 at Attica, New York File # Buffalo 44-592
by SA JOHN E. KING:caw Date dictated 10/23/71

FEDERAL BUREAU OF INVESTIGATION

10/24/71

Date of transcription

-1-
[redacted] Attorney, 431 Walbridge Building,
Buffalo, was advised that his [redacted] would
authorize approval for a record of [redacted] medical care
if approved by [redacted]

[redacted] signed for this release on a form captioned
"Authority to Release Information."

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Interviewed on 10/22/71 at Buffalo, New York File # Buffalo 44592
by SA JOHN E. KING:caw Date dictated 10/22/71

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/22/71

 Inmate, Attica Correctional Facility, was advised of the nature of the inquiry.

 signed a specific authorization for the release of his medical records while a patient at the Edward J. Meyer Memorial Hospital, by executing a form captioned "Authority to Release Information."

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Interviewed on 10/22/71 at Attica, New York File # Buffalo 44-592

by SA JOHN E KING:caw Date dictated 10/22/71

- 116 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 10/22/71

[] Inmate, Attica Correctional Facility,
was advised of the nature of the inquiry.

[] specific approval for the release of his
medical records while a patient at the Edward J. Meyer
Memorial Hospital was requested. [] refused this
request.

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Interviewed on 10/22/71 at Attica, New York File # Buffalo 44-592

by SA JOHN E. KING:caw Date dictated 10/22/71

- 117 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 10/22/71

[redacted] Inmate, Attica Correctional Facility,
was advised of the nature of the inquiry.

[redacted] specific approval for the release of his
medical records while a patient at the Edward J. Meyer
Memorial Hospital was requested. [redacted] refused this
request.

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Interviewed on 10/22/71 at Attica, New York File # Buffalo 44-592

by SA JOHN E. KING:caw Date dictated 10/22/71

-118-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;
and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted]
[redacted] were contacted at [redacted] of the Prudential Building, and after having been advised of the identities of the contacting Agents and of the nature of the inquiry, advised they cannot consent to release any medical information concerning their client until such time as a lawyer-client confidential conference is held. They stated that they have not been allowed by authorities to conduct such a conference to date.

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On 10/23/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] AMD:mlr Date dictated 10/23/71

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FEDERAL BUREAU OF INVESTIGATION

Date 10/23/71- 1 -

[redacted] Walbridge Building, Attorney for
[redacted], voluntarily appeared at the
Buffalo Office of the Federal Bureau of Investigation and
after being advised of the identity of the interviewing Agent
and of the nature of the inquiry, [redacted] stated that he did
not wish to release any medical information regarding his
clients at this time.

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On 10/23/71 at Buffalo, New York File # Buffalo 44-592
by SA [redacted] :pmg Date dictated 10/23/71

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- 120 -

FEDERAL BUREAU OF INVESTIGATION

Date 10/24/71

[redacted]
Hospital Administration, Edward J. Meyer Memorial Hospital,
462 Grider, Buffalo, New York, made available xerox copies
of the medical records of the following Attica prisoner
patients who are currently receiving medical care at his
hospital:

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[redacted]
[redacted] also made available xerox copies of the
medical records of the following Attica prisoner patients
who received medical care at his hospital following the Attica
disorder and who have subsequently been returned to the
Attica State Correctional Facility, Attica, New York:

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[redacted]
[redacted] was provided a xerox copy of an "Authority
to Release Information" signed by each of the above mentioned
Attica prisoners or their representing attorneys authorizing
such release of medical records.

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The records of [redacted] were
not located.

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On 10/23/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted]
[redacted] JEL:mlr Date dictated 10/23/71

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- 121 -

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 10/25/71

[redacted]
Hospital Administration, Edward J. Meyer Memorial Hospital,
462 Grider, Buffalo, New York, made available xerox copies
of the medical records of the following Attica prisoner
patients who are currently receiving medical care at his
hospital:

[redacted]
[redacted] was provided a xerox copy of an "Authority
to Release Information" signed by each of the above mentioned
Attica prisoners.

Interviewed on 10/25/71 at Buffalo, New York File # Buffalo 44-592
by SA [redacted] :mlr Date dictated 10/25/71

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FEDERAL BUREAU OF INVESTIGATION

1.Date 10/22/71

[redacted] for
 United States Court of Appeals for Second Circuit, Man-
 hattan, New York, provided Special Agent (SA) [redacted]
 [redacted] of the Federal Bureau of Investigation (FBI) with
 the following pleadings, evidence and appeal briefs in
 the case of Inmates of the Attica Correctional Facility,
 [redacted] Et Al versus NELSON ROCKEFELLER, Governor,
 State of New York Et Al - Docket Number 71-193 of United
 States Court of Appeals for Second Circuit and Civil
 1971-410 of United States District Court for Western
 District of New York; such pleadings, evidence and briefs
 are as follows:

- A. Index to Record on Appeal
- B. Supplemental Index to Record on Appeal
- C. Supplemental Clerk's Certificate
- D. Clerk's Certificate
- E. Temporary Restraining Order filed September 14,
1971
- F. Affidavit of [redacted] filed September 14,
1971
- G. Affidavit of [redacted] filed September 14,
1971
- H. Complaint filed September 15, 1971
- I. Affidavit and Order that proceedings be
transcribed at United States' expense
- J. Plaintiffs' Affidavit and motion for
reconsideration of court's ruling denying
access of plaintiffs' counsel to plaintiffs etc.
- K. Plaintiffs' - affidavits
- L. Temporary Restraining Order of September 23, 1971
- M. Order Show Cause Signed September 23, 1971
by Judge CURTIN.
- N. Affidavit of [redacted] of September 28, 1971
- O. Writ of Habeas Corpus Ad Testificandum re
[redacted]
- P. Writ of Habeas Corpus Ad Testificadum re [redacted]
[redacted]
- Q. Writ of Habeas Corpus Ad Testificandum re [redacted]
[redacted]

On 10/21/71 at New York, New York BU - **44 - 592**
 File # 44-2086

by SA [redacted] /gal Date dictated 10/21/71

-123-

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- R. Affidavit of [redacted]
S. Order Show Cause why an order should not be entered dismissing the complaint
T. Amended Complaint For Declaratory Judgment, Injunction and Other Appropriate Relief filed September 28, 1971, at United States District Court for Western District of New York
U. Interim Order filed September 28, 1971
V. Plaintiff's Notice of Appeal filed September 30, 1971
W. Certification Pursuant to Federal Rule 54 (b) of Federal Rules of Procedure filed October 9, 1971
X. Exhibit R1 - Notice of Inmates of Attica Correctional Facility from [redacted] of September 24, 1971 (such is included in (U) (Interim Order of September 28, 1971)
Y. Five Writs of Habeas Corpus Ad Testificandum referring to [redacted]
[redacted]
[redacted] plus the Affidavit of [redacted]
Z. Order of October 6, 1971 of Judge JOHN T. CURTIN ordering proceedings that the suit be transcribed at expense of the United States
A1. Clerk's Certificate filed October 4, 1971 at United States Court of Appeals, Second Circuit
A2. Temporary Restraining Order filed September 14, 1971, at United States District Court of Western District of New York
A3. Affidavit of [redacted] filed September 14, 1971, at United States Court of Western District of New York
A4. Affidavit of [redacted] filed September 14, 1971 at United States District Court of Western District of New York
A5. Complaint for Declaratory Judgment, Injunction and other appropriate relief
A6. Affidavit of [redacted]

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BU - 44 -592

NY 44-2086

3.

- A7. Order of Judge JOHN CURTIN that proceedings at the suit be paid at expense of the United States
- A8. Brief for Appellants dated September 30, 1971
- A9. Brief for Appellees dated
- A10. Reply Brief for Appellants filed October 7, 1971, at United States Court of Appeals of Second Circuit

[redacted] advised that the order denying preliminary injunction, denying motion to proceed as Class Action; dismissing complaint insofar as it seeks permanent injunctive relief, is not now available and that appeal should be heard on approximately November 4, 1971.

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FEDERAL BUREAU OF INVESTIGATION

-1-Date 10/23/71

MICHAEL A. AMICO, Sheriff, Erie County Sheriff's Office, 10 Delaware Avenue, advised that his Department filed no activity reports concerning the activities, assignments and observations of his personnel assigned to the Attica Correctional Facility, Attica, New York, from September 9 to September 15, 1971. He stated that the only possible reports that would be on file would be manpower and displacement reports for possible recompense purposes.

Sheriff AMICO volunteered that he was telephonically contacted on Thursday, September 9, 1971, by Sheriff DALTON CARNEY of Wyoming County, New York, who requested AMICO to furnish manpower at the Attica Correctional Facility under their mutual assistance agreement. Sheriff CARNEY further requested that Sheriff AMICO contact Sheriff ANTHONY VILLELLA of Niagara County, New York, and request him to provide manpower at the Facility. Sheriff AMICO advised that he then contacted Sheriff VILLELLA for Sheriff CARNEY.

On 10/23/71 at Buffalo, New York File # Buffalo 44-592
by S. :mir Date dictated 10/23/71

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- 126 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/22/71

[redacted] Erie County Sheriff's Office, 10 Delaware Avenue, advised that a review of his records determined that no activity reports were filed by Detectives of his department for September 13, 1971, September 14, 1971 and September 15, 1971 concerning their assignments at Attica Correctional Facility, Attica, New York.

[redacted] further advised that his department was not involved in any photographic assignments and did not take any photographs during the above-mentioned dates.

[redacted] through telephonic contact with [redacted] Detective Division, Erie County Sheriff's Office, determined that no patrol reports were on file with that office for any individuals at the Attica Correctional Facility during the pertinent dates. [redacted] advised that deputies assigned to Attica were on special assignment and therefore, no activity reports were required as they were under direct supervision while on the special detail. He did state, however, that normal procedures require patrolmen to file activity reports on a daily assignment basis.

[redacted] advised that no statements were taken from members of his department regarding their actions, observations or attendance at Attica.

[redacted] volunteered that he was not personally at Attica during the pertinent dates, as he was on vacation. He further volunteered that Sheriff MICHAEL AMICO, [redacted]

[redacted] were at the facility.

On 10/22/71 at Buffalo, New York File # Buffalo 44-592

SAs [redacted] and [redacted] AMD:caw Date dictated 10/22/71

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/22/71

Captain [redacted], Criminal Division, Erie County Sheriff's Office, 10 Delaware Avenue, advised no reports were filed by him, [redacted] or any deputies under them concerning their activities at the Attica Correctional Facility, Attica, New York, during September 13-15, 1971.

Captain [redacted] stated that no statements were taken from any of the deputies under his authority and not one camera went into the facility with his group.

Captain [redacted] volunteered that he and his men did not enter the facility until at least one hour after the attempt to regain control of the facility on September 13, 1971.

On 10/22/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] /AMD:caw Date dictated 10/22/71

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

DALTON CARNEY, Sheriff, Wyoming County Sheriff's Office, Warsaw, New York, furnished the following information:

CARNEY was in direct command of approximately 15 officers of the Wyoming County Sheriff's Office in the vicinity of the Attica Correctional Facility from September 9, 1971 through September 13, 1971.

The duty of this group was to be one of a series of back-up forces for the New York State Police.

None of the officers under CARNEY's command entered the Attica Correctional Facility on September 13, 1971 in order to assist in quelling the riot. There was no official report made by the Wyoming County Sheriff's Office to the New York State Police, the New York State Correction Department nor the Wyoming County Sheriff's Office.

On 10/21/71 at Warsaw, New York File # Buffalo 44-592

by SA THOMAS M. SHAUGHNESSY:caw Date dictated 10/23/71

-129-

FEDERAL BUREAU OF INVESTIGATION

-1-Date 10/23/71

[redacted] Genesee County Sheriff's Office, Batavia, New York, furnished the following information:

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[redacted] was in direct command of approximately 25 officers of the Genesee County Sheriff's Office in the vicinity of the Attica Correctional Facility from September 9, 1971 through September 13, 1971.

The duty of this group was to be one of a series of back-up forces for the New York State Police.

None of the officers under [redacted] command entered the Attica Correctional Facility on September 13, 1971 in order to assist in quelling the riot. There was no official report made by the Genesee County Sheriff's Office to the New York State Police, the New York State Correction Department nor the Genesee County Sheriff's Office.

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On 10/21/71 at Batavia, New York File # Buffalo 44-592

by SA THOMAS M. SHAUGHNESSY:caw Date dictated 10/23/71

-130-

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/22/71

DOUGLAS WELCH, Sheriff, Livingston County, New York, advised that his department sent 20 men to assist the Wyoming County Sheriff's Office at the Attica Correctional Facility. His men worked from September 9, 1971 and all had completed their duties during the afternoon of September 13, 1971.

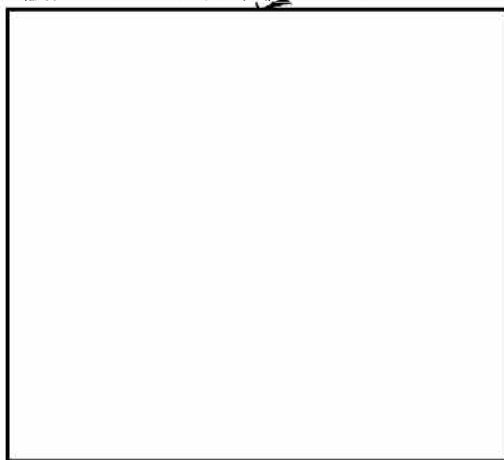
WELCH stated that no reports were made by individual deputies, nor was there a unit report prepared by anyone in his department.

He stated at the request of the Wyoming County, New York Sheriff, he prepared a roster of the deputies who worked at Attica, which indicates their rate of pay, the dates they worked and the total amount of monies which would represent a claim for reimbursement to Livingston County.

WELCH stated that his department was mainly responsible for road blocks and traffic control in and around the community of Attica.

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WELCH furnished a copy of the roster indicating deputies who worked at Attica with him, who are as follows:

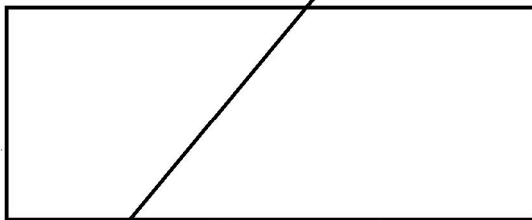
Sheriff DOUGLAS ~~WELCH~~

On 10/21/71 at Geneseo, New York File # Buffalo 44-592
by SAs [redacted] JF. and
LJ:caw Date dictated 10/22/71

-131-

BU 44-592
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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] Monroe County Sheriff's Office, furnished an investigative file maintained by his Office and relating in its entirety to the actions of the Monroe County Sheriff's Office in the Attica inmate uprising, September 9 - 13, 1971.

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[redacted] reviewed this file in the presence of Special Agent (SA) [redacted] and stated there are no additional reports relating to this matter. He authorized the reproduction of all material contained in this report. He commented specifically that all officers of his Department were withdrawn from Attica Prison by 4 PM, September 13, 1971, and no officers remained in that institution after this time and date. [redacted] also said that none of his officers have furnished statements to any investigative agency and none have been requested to do so. [redacted] said the only contact with his Department by any other agency was that made by the New York State Police who requested copies of all photographs made by [redacted]. The request for all photographs was honored because [redacted] had been specifically requested by the State Police to accompany the assault officers as an official photographer. A total of 128 photographs were taken by [redacted] and all were turned over to the New York State Police with a log identifying the photographs.

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[redacted] stated he has been authorized by Sheriff SKINNER to make available all negatives of these photographs for reproduction by the Federal Bureau of Investigation (FBI).

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The documents furnished to SA [redacted] are described as follows:

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1. Letter dated September 27, 1971, to Director of Finance, County of Wyoming, Warsaw, New York
2. Letter dated September 27, 1971, to DALTON W. CARNEY, Sheriff, County of Wyoming, Warsaw, New York

On 10/22/71 at Rochester, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] Date dictated 10/22/71
PAU;mlr

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- 133 -

3. Letter dated September 21, 1971, from Wyoming County Board of Supervisors, Warsaw, New York
4. Invoice dated September 17, 1971, from Regional Transit Service, Rochester, New York, number 010416
5. Sheriff's memorandum dated September 21, 1971, captioned Attica Prison Mutual Aid Assistance to Sheriff DALTON CARNEY, Wyoming County
6. Monroe County Sheriff's Investigation and Complaint (I & C) Report, dated September 9, 1971
7. Monroe County Sheriff's I & C Report, dated September 10, 1971
8. Monroe County Sheriff's I & C Report, dated September 11, 1971
9. Monroe County Sheriff's I & C Report, dated September 12, 1971
10. Monroe County Sheriff's I & C Report, dated September 13, 1971
11. New York State Police teletype, dated September 15, 1971, addressed to all State Police Stations
12. Sheriff's memorandum captioned Mobilization For Attica Prison Emergency, September 9 through September 13, 1971
13. Sheriff's memorandum captioned Transportation For the Attica Prison Emergency, September 9 through September 13, 1971
14. Sheriff's memorandum captioned Mobilization for Attica Prison Emergency, 1st Platoon, September 9 through September 13, 1971, Overtime Pay
15. Sheriff's memorandum captioned Mobilization for Attica Prison Emergency, 2nd Platoon, September 9 through September 13, 1971, Overtime Only

16. Sheriff's memorandum captioned Mobilization for Attica Prison Emergency, 3rd Platoon, September 9 through September 13, 1971, Overtime Only
17. Sheriff's memorandum captioned Mobilization for Attica Prison Emergency, Detective Division, September 9 through September 13, 1971, Overtime Only
18. Sheriff's memorandum captioned Mobilization for Attica Prison Emergency, Identification Bureau, September 9 through September 13, 1971, Overtime Only
19. Sheriff's memorandum captioned Mobilization for Attica Prison Emergency, Marine Division, September 9 through September 13, 1971, Overtime Only
20. Sheriff's memorandum captioned Mobilization for Attica Prison Emergency, Community Service Division, September 9 through September 13, 1971, Overtime Only

These items will be part of Exhibit C-4 of this report.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/22/71

RAY O. MORROW, Sheriff, Ontario County, New York, advised that his department sent 16 men to assist the Wyoming County Sheriff's Office at the Attica Correctional Facility at Attica, New York.

MORROW stated that his men were at Attica for approximately three days and that no reports were submitted by individual deputies, nor was their a unit report submitted by any supervisor or himself. He stated he has a roster of the deputies who assisted and he would make this roster available on October 22, 1971.

MORROW advised his department did assist inside the prison after the New York State Police had secured the area; however, none of his men used any ammunition and all had completed their duties on the night of September 13, 1971.

On 10/21/71 at Canandaigua, New York File # Buffalo 44-592
by SAs [redacted] and [redacted] Date dictated 10/22/71

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- 136 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/21/71

ROBERT C. ~~FITZSIMMONS~~, Superintendent of Police, Niagara Falls, New York Police Department, advised that his department owns and operates a video tape machine.

At the request of [redacted] Captain, [redacted] Bureau of Criminal Investigations, New York State Police, Batavia, New York, he made available his video tape camera, along with operator Patrolman [redacted] in connection with the prison riot at Attica, New York.

FITZSIMMONS stated the camera was installed on the roof of the Attica State Correctional Facility and that Patrolman [redacted] operated the camera during the assault at the prison by correctional officers and law enforcement agencies the morning of September 13, 1971.

He estimated the camera was in operation for approximately one hour during and after the assault.

He further advised that the film, after being taken, was immediately impounded by the New York State Police and is still in their possession. He understands there is some distortion in some of the picture frames taken and he has been informed that the New York State Police plan to utilize an instrument known as a video printer, either through the New York City Police Department or someone in the Binghamton, New York area, who owns one. He explained this instrument clarifies distortions in the video tape frames and would produce an 8" x 10" photograph of each frame processed.

In conclusion, Superintendent FITZSIMMONS stated he and Lieutenant [redacted] observed the assault from a tower area at the Attica Correctional Facility on September 13, 1971.

On 10/21/71 at Niagara Falls, New York File # Bu file 44 -9 2

by SA [redacted] caw Date dictated 10/21/71

-137-

FEDERAL BUREAU OF INVESTIGATION

-1-Date 10/23/71

ROBERT C. FITZSIMMONS, Superintendent of Police, Niagara Falls, New York Police Department, advised neither he nor the two officers of his department who were at the Attica Correctional Facility on September 13, 1971, made any report or notes relative thereto. He also stated no still photographs were taken by members of his department.

He further advised the video tape camera which was operated by Patrolman [] of his department was a Craig make and that this was not equipment owned by the Police Department but on loan from a business facility in Buffalo, New York, which they were contemplating purchasing.

He had no further identifying data concerning this machine, however, stated [] previously furnished make, model and all specifications of the video tape camera to the New York State Police at Batavia, New York.

It is the opinion of Superintendent FITZSIMMONS that in order for a copy of the video tape to be reproduced, it would first be necessary to secure a Craig recorder operating with a 5½ inch spool.

On 10/22/71 at Niagara Falls, New York File # Buffalo 44-592

by SA [] mlr Date dictated 10/22/71

- 138 -

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

ANTHONY J. ~~VILLELLA~~, Sheriff, Niagara County, ^{N.Y.}
advised he was requested by Sheriff ~~MIKE~~ AMICO, Erie County,
Buffalo, New York, under a mutual aid request on September
10, 1971, to furnish 50 men for back-up duty at the
Attica Correctional Facility (ACF) disturbance. Accordingly,
he and 50 Deputies were at Attica from September 10 through
September 13, 1971, where he took his orders from Captain
 New York State Police, Batavia, New York.

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Sheriff VILLELLA explained his men did not participate in the assault on September 13, 1971, but performed secondary functions such as securing buildings, searching prisoners and carrying out the wounded after the assault.

He stated no photographs were taken by members of his unit and no report was prepared. The only paper work he has is a one page typewritten sheet entitled "ATTICA ASSIGNMENT MUTUAL AID REQUEST" which merely shows times, dates and manpower involved by his organization while at Attica, New York.

A copy of this one page sheet is as follows:

On 10/22/71 at Lockport, New York File # Buffalo 44-592
by SA :mlr Date dictated 10/22/71

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- 139 -

Sept. 10, 1971~~Mutual Aid Request~~ - Sheriff Amico - Sept. 9, 1971, at 10:30 P.M.

Arrival - Sept. 10, 1971, at 1:00 A.M. - 50 men

Personnel Assigned: Perimeter Guard - 12 men

Assignment Completed - 4:00 P.M.

Sept. 11, 1971Request - Captain - Standby Relief

Arrival - Sept. 11, 1971, at 12:15 A.M. - 50 men

Personnel Assigned: Perimeter Guard - 4 men

Assignment Completed - 10:00 A.M.

Sept. 12, 1971Request - Captain

Arrival - Sept. 12, 1971, at 12:15 A.M. - 20 men

No personnel assigned. Standby.

Assignment completed - 9:00 A.M.

Sept. 13, 1971Request - Captain

Arrival - Sept. 13, 1971, at 8:00 A.M. - 50 men

Primary Assignment - Follow-up after assault and rescue operation

Primary Assignment - Secure Administration Building

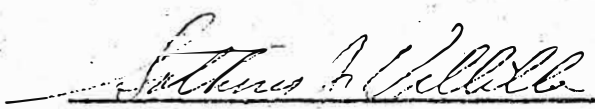
Secondary Assignment - Remove dead and wounded inmates and hostages.

At approximately 10:30 A.M. 6 men assigned to clean-up operation - storage rooms - tunnels - unoccupied buildings

44 men assigned to A Block yard to strip, search and process inmates. Completed upon last man entering penal facilities proper 4:00 P.M.

Assignment completed 5:00 P.M.

Total manpower hours = 1880.


Anthony J. Villella
Niagara County Sheriff

September 14, 1971.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

NY 54
N.Y.
[redacted], Attica Correctional Facility, advised that the law enforcement agencies who had been present in the Attica area during the prison disturbance consisted of New York State Police and naturally the officers of the Correction Department.

The Sheriff's Offices who were represented consisted of officers from the Erie, Genesee, Livingston, Monroe, Niagara, Ontario and Wyoming Counties.

He advised that in addition, there was a group of National Guardsmen, who he believed acted in the capacity of a back-up unit and who acted as a hospital team after the assault was made.

He did not believe that any guardsmen participated in the assault itself. He was not aware, as the figures had never been furnished to him, as to the number of Sheriff's Office personnel from each of the aforementioned counties.

On 10/20/71 at Attica, New York File # Buffalo 44-592
SAs [redacted] and
by CARL E. UNDERHILL/CEU:caw Date dictated 10/23/71

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] Attica Correctional Facility, advised that no reports had been prepared by any of the officers in the Correction Department in regard to the participation by any correction officers in the assault phase of the retaking of "D" Yard. [redacted] stated he did not have any exact figures or names of any of the correction officers who went into "D" Yard. He would estimate that there had been possibly 50.

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He advised that the reserve arsenal of the facility does not include weapons for each and every guard and that there are only about 35 weapons in the arsenal. He advised that in regard to the assault, that some of the correction officers had brought in personally owned weapons, which they carried with them on the day of the assault.

[redacted] advised that a general report had been prepared setting forth a chronological recitation of events as they occurred prior to and subsequent to the assault. He stated that this was in the nature of an administrative report, however, and was not investigative in scope. He advised that this report had been made available to the investigating group headed by Judge ROBERT FISCHER, who had been appointed by Governor ROCKEFELLER to investigate the events at the Attica Facility.

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[redacted] advised that he presumed a copy of this administrative report could be made available through Judge FISCHER.

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On 10/20/71 at Attica, New York. File # Buffalo 44-592
by SA [redacted]
CARL E. UNDERHILL/CEU:caw Date dictated 10/23/71

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

Captain [redacted], New York State Police, advised that he is acting as liaison officer for the investigating team headed by Judge ROBERT FISCHER. [redacted] advised when queried regarding any Correction Department reports that to his knowledge, no reports had been prepared by any individual correction officers. He stated that he had attempted to locate such reports himself, and had learned that none had been prepared.

[redacted] stated that a general chronology of events at Attica had been prepared by the Correction Department and he believed that this report was currently in the possession of [redacted] on the staff of Judge ROBERT FISCHER.

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On 10/20/71 at Attica, New York File # Buffalo 44-592

by SAs CARL E. UNDERHILL and [redacted] CEU:caw Date dictated 10/23/71

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted], advised that [redacted]
[redacted] Judge ROBERT FISCHER, who is charged
with investigating any criminal aspects of the disturbances
which occurred at Attica Correctional Facility during the
period of September 9, 1971 through September 13, 1971.

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[redacted] advised that in connection with the
investigation, Judge FISCHER's staff had requested that
the Correction Department make available any reports
prepared by any of the individual correction officers.

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[redacted] continued that he had been informed that no such
reports existed as none had been prepared. He further
advised that a rather general administrative type report
setting forth the events in time sequence had been prepared
and furnished to him. [redacted] stated that he would make
a copy of said report available, which he did at the time
of interview.

This Correction Department report is set forth as
Exhibit C-2.

On 10/21/71 at Attica, New York File # Buffalo 44-592
by SAs CARL E. UNDERHILL and
[redacted] CEU:caw Date dictated 10/23/71

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- 144 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/23/71

[redacted] advised that when he was first assigned by Judge ROBERT FISCHER to participate in the investigation of any criminal activity at the Attica Correctional Facility, he had learned that no reports had been prepared by the New York State Police. Subsequent thereto, he spoke with Captain [redacted] about reports and the command reports were thereafter furnished to him. These reports consist of the following:

- (1) Report by Inspector [redacted] to Chief Inspector G. L. INFANTE, dated October 6, 1971
- (2) Report of Deputy Superintendent [redacted] to Superintendent WILLIAM E. KIRWAN, dated October 7, 1971
- (3) Report of Chief Inspector G. L. INFANTE to Superintendent WILLIAM E. KIRWAN, dated October 8, 1971
- (4) Report of Assistant Deputy Superintendent [redacted] to Deputy Superintendent [redacted] dated October 15, 1971

These reports can be found under Exhibit C-1.

On 10/21/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted]
CARL E. UNDERHILL/CEU:caw Date dictated 10/23/71

- 145 -

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FEDERAL BUREAU OF INVESTIGATION

1Date October 21, 1971

Brigadier General ROBERT E. MURPHY, Adjutant General, State of New York, made available a copy of the "After Action Report (RCS ARNGB-98) Aid to Civil Authorities-Attica Correctional Facility, Attica, New York 9-16 September 1971" dated October 19, 1971, signed by FRANCIS J. HIGGINS, Brigadier General, New York Army National Guard, Vice Chief of Staff to the Governor.

General MURPHY advised that the primary duties of members of the New York Army National Guard and New York Air National Guard during the retaking of the Attica Correctional Facility, Attica, New York, on September 13, 1971, were to assist the New York State Police and the New York State Department of Correctional Facilities in the retaking of the Attica Correctional Facility as follows:

Dispersal of gas,
Litter bearing,
Providing surgical and first aid teams,
Guard duty of inmates,
Mine detection.

General MURPHY advised further that all Guardsmen bore firearms, but none were issued ammunition except for those who were engaged in guard duty assignments. He added that no shots were fired by any Guardsmen on September 13, during the retaking of the Attica Correctional Facility.

General MURPHY explained abbreviations contained in this report as follows:

ARNG	Army National Guard
ANG	Air National Guard
OFF	Officers
WO	Warrant officers
EM	Enlisted men
AGG	Aggregate
MUTA	Multiple Unit Training
	Assembly. (Group of Guardsman
	from various units engaged in
	weekend drill).

BU - 44 - 592

On 10/20/71 at Albany, New York File # AL 44-691by SA /dml Date dictated 10/21/71

BU 44-592

-1-

The "After Action Report (RCS ARNGB-98) Aid to Civil Authorities - Attica Correctional Facility, Attica, New York 9-16 September 1971" can be located as Exhibit C-3.

:caw

- 147 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/24/71

Captain [redacted] New York State Police, advised when queried as to reports being filed by any State Police Officers who participated in the actual assault, that no reports had been filed as such, but that the troopers that participated had either been interviewed or had furnished statements as to the individual officers activities during the assault itself.

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Captain [redacted] advised that a release of these statements to the Federal Bureau of Investigation would necessitate some checking on his part and he would initiate the request for above immediately so that this information could be furnished to the Federal Bureau of Investigation.

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10/21/71
10/28

On 10/21/71 at Attica, New York File # Buffalo 44-592

SAs CARL E. UNDERHILL and
by [redacted] CEU:caw Date dictated 10/23/71

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- 148 -

-2-

Rank

[illegible]

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-3-

Rank

b6
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-4-

Rank

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-5-

[illegible]

Lieutenant
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Second Sergeant
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
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Trooper
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Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Sergeant
Trooper
Second Sergeant
Trooper

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BU 44-592
-6-

Officer's Name

[Redacted Area]

Rank

Trooper
Trooper
Trooper
Sergeant
Sergeant
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Second Sergeant
Trooper
Trooper
Trooper
Trooper
Trooper
Trooper
Sergeant
Trooper
Sergeant
Trooper
Trooper
Trooper
Trooper
Sergeant
Trooper
Trooper
Lieutenant
Trooper
Second Sergeant
Trooper
Trooper
Trooper
Trooper
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Trooper
Trooper

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BU 44-592

-7-

Officer's Name

Rank

Trooper
Trooper
Trooper
Trooper
Trooper
~~Trooper~~
Trooper
Trooper
Investigator
Investigator
Investigator
Investigator
Investigator
Investigator
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Investigator
Investigator

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These reports can be located under Exhibit C-1a.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/24/71

On October 23, 1971, [redacted] was contacted at his residence in Rochester, New York. [redacted] stated that he had received additional reports of a command nature from the New York State Police and he was making these available. They include:

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- (1) Report of [redacted] to Superintendent W. E. KIRWAN, dated September 17, 1971
- (2) Report of Major J. W. MONAHAN, Troop Commander, to Superintendent W. E. KIRWAN, dated September 19, 1971
- (3) Report of Major J. W. MONAHAN to Chief Inspector J. L. INFANTE, dated October 1, 1971, it being noted that the report of Major MONAHAN included memorandums of [redacted] and [redacted]

These reports can be found under Exhibit C-1.

On 10/23/71 at Rochester, New York File # Buffalo 44-592
by SAs [redacted] nd
AJ:caw Date dictated 10/24/71

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-156-

FEDERAL BUREAU OF INVESTIGATION

-1-

Date 10/26/71

[redacted] investigating staff
of Judge ROBERT FISCHER, made available statements of
the following State Park Police and Correction Officers:

State Park Police

[redacted] - Letchworth

[redacted] Letchworth,

[redacted] - Letchworth

Auburn Correction Officers

On 10/25/71 at Attica, New York

File # Buffalo 44-592

by SAs CARL E. UNDERHILL and

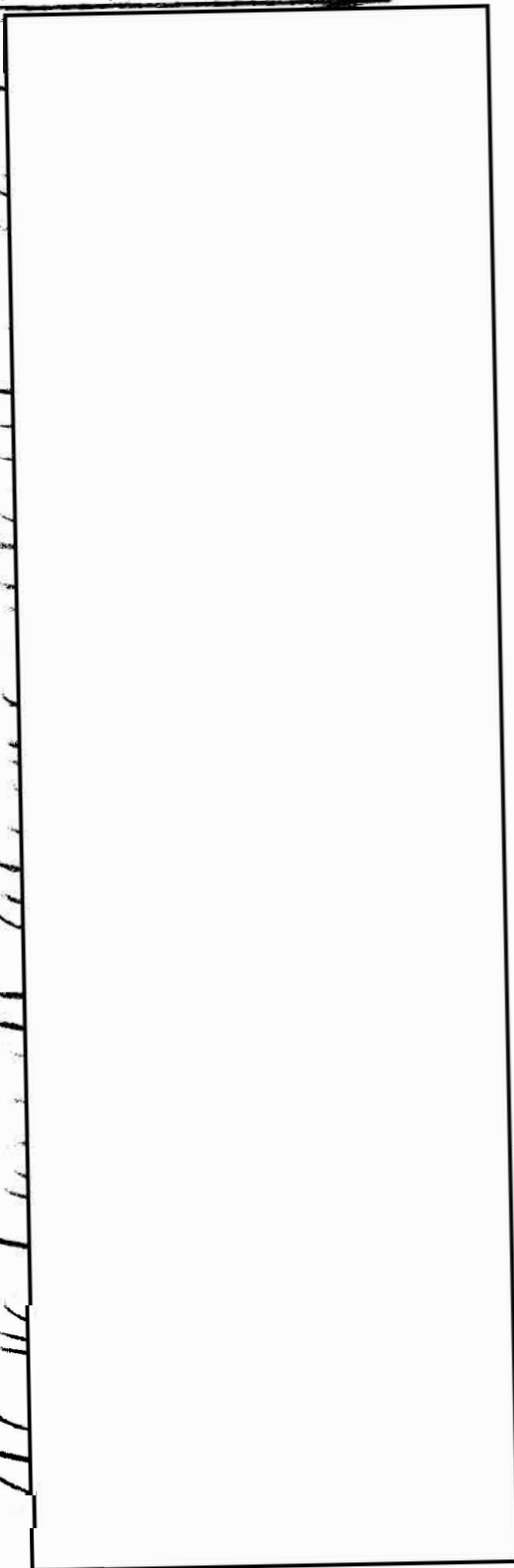
[redacted] EU;mlr

Date dictated 10/26/71

BU 44-592
-2-

Attica Correction Officers

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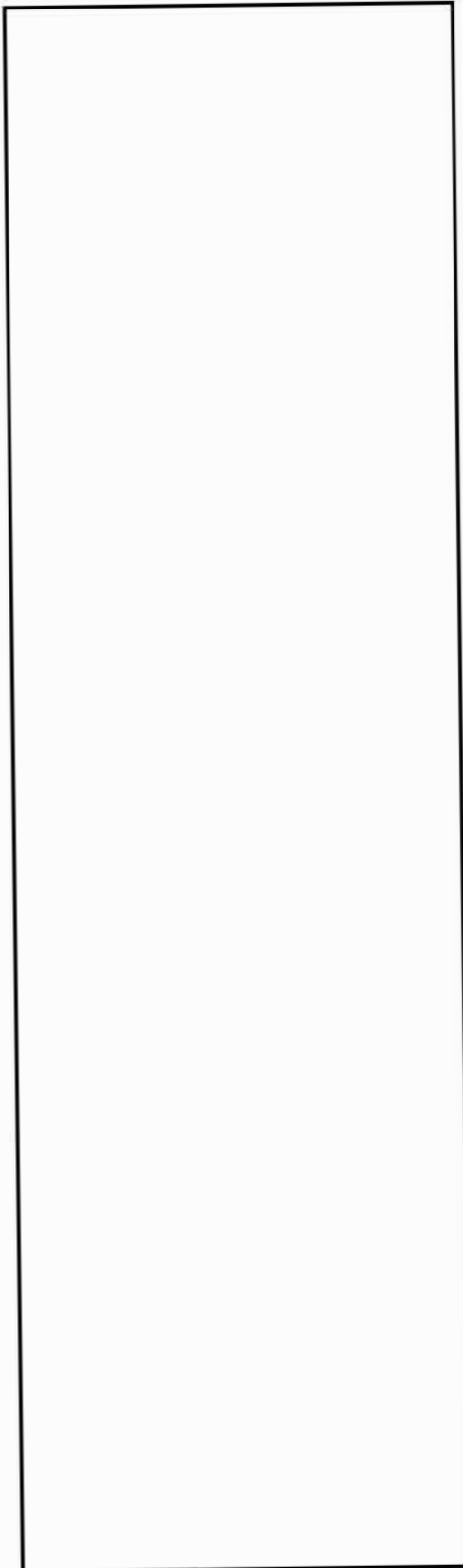


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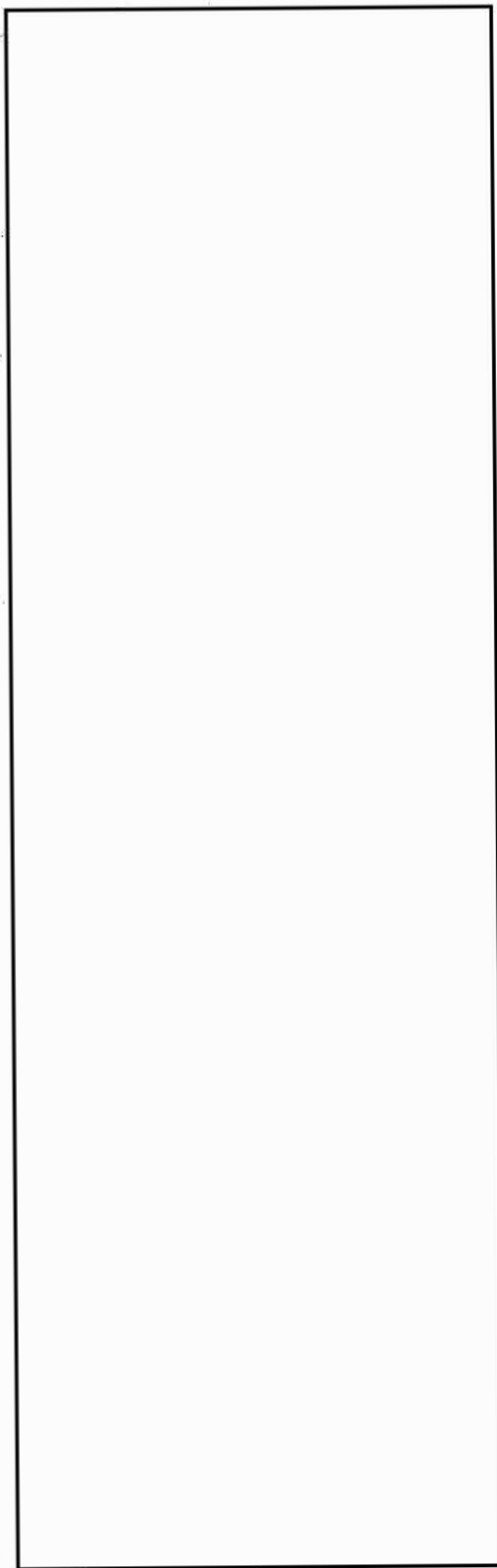
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N.I.

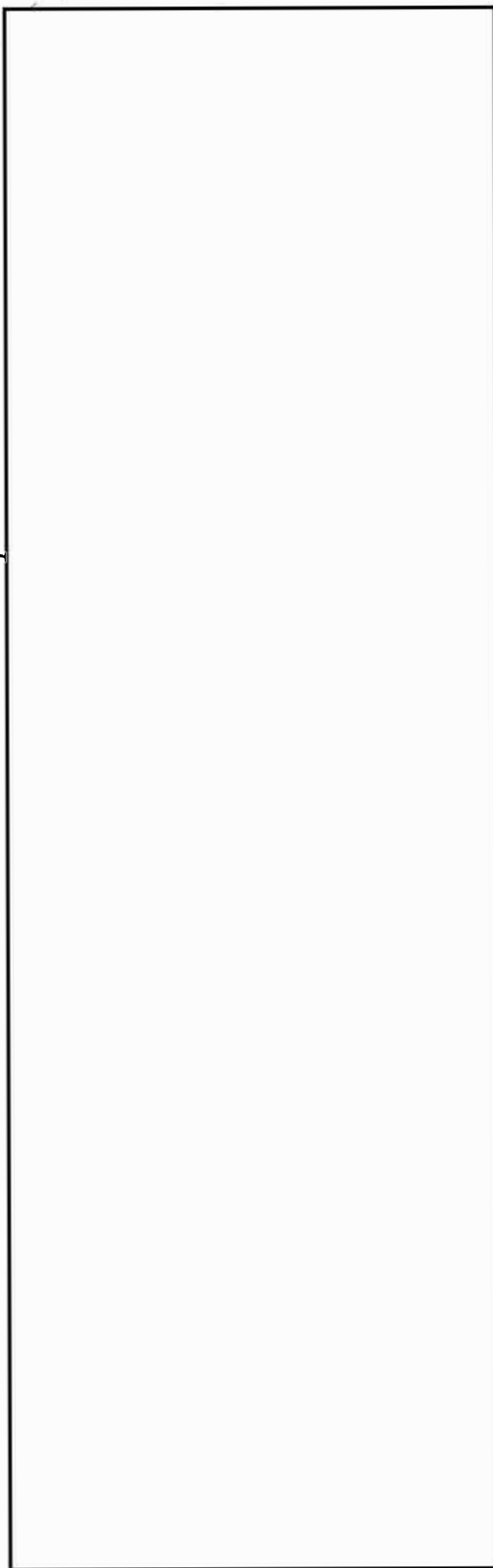
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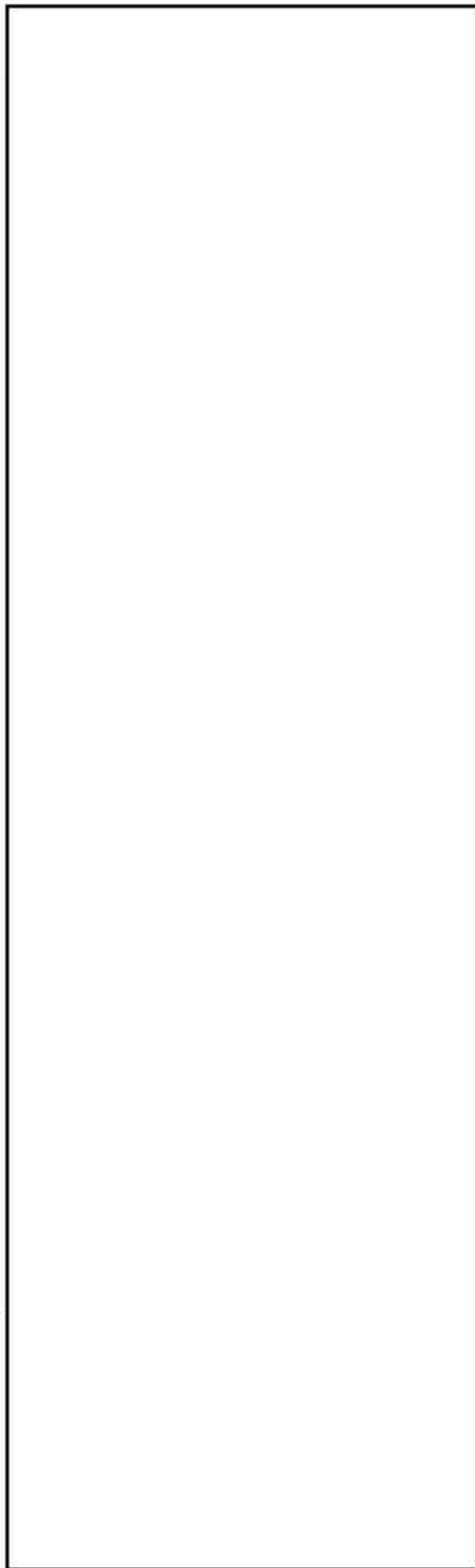
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BU 44-592

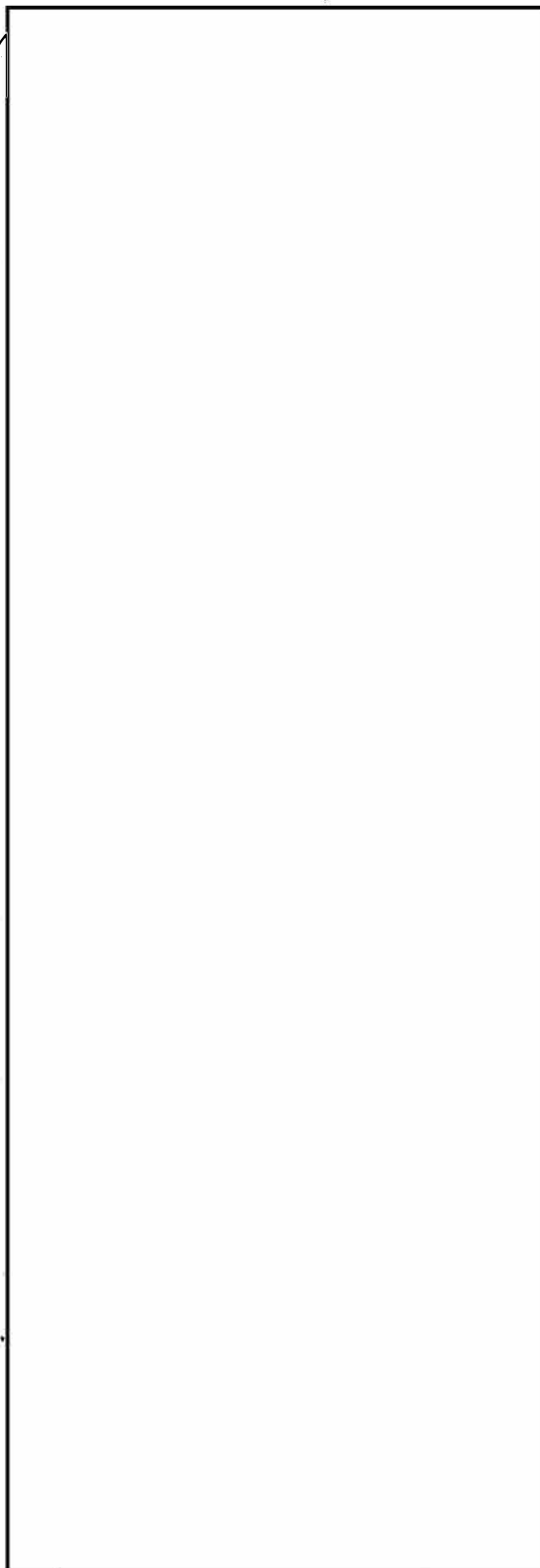
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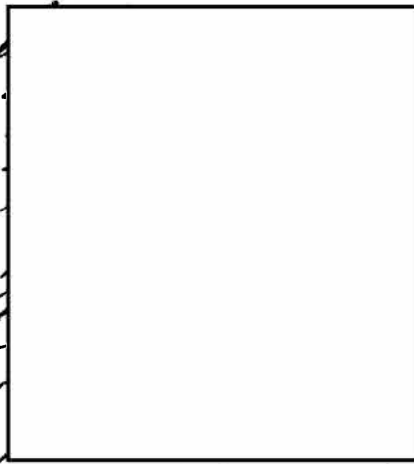
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BU 44-592

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[redacted] also furnished miscellaneous correlating material.

The Correction Officers reports can be found in Exhibit C5.

The three State Park Police reports can be found in Exhibit C6.

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1260987-0

Total Deleted Page(s) = 42

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Page 88 ~ Duplicate - file 44-50605 section 1;
Page 89 ~ Duplicate - file 44-50605 section 1;
Page 90 ~ Duplicate - file 44-50605 section 1;
Page 91 ~ Duplicate - file 44-50605 section 1;
Page 92 ~ Duplicate - file 44-50605 section 1;
Page 93 ~ Duplicate - file 44-50605 section 1;
Page 94 ~ Duplicate - file 44-50605 section 1;
Page 95 ~ Duplicate - file 44-50605 section 1;
Page 96 ~ Duplicate - file 44-50605 section 1;
Page 97 ~ Duplicate - file 44-50605 section 1;
Page 148 ~ b6; b7C;
Page 149 ~ b6; b7C;
Page 154 ~ b6; b7C;
Page 161 ~ b6; b7C;
Page 162 ~ b6; b7C;
Page 163 ~ b6; b7C;
Page 164 ~ b6; b7C;
Page 165 ~ b6; b7C;
Page 166 ~ b6; b7C;
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Page 168 ~ b6; b7C;
Page 169 ~ b6; b7C;
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001261971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR016 AL PLAIN

12:31 AM 10-23-71 URGENT 10-22-71 LVV

TO DIRECTOR

BUFFALO (44-592)

FROM ALBANY (44-691) 2P

UNSUBS; CORRECTION OFFICERS, ATTICA CORRECTIONAL FACILITY,
ATTICA, NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA; SUMMARY
PUNISHMENT; CR.

CHM
B...

RE TELCALL FROM SAC JOSEPH GAMBLE AT BUFFALO, OCTOBER
TWENTYONE, LAST.

PKE

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PHOTO COPIES OF MEDICAL RECORDS OBTAINED FROM

NYS DEPARTMENT OF CORRECTIONAL FACILITIES

TRANSMITTED TO THE BUREAU OCTOBER TWENTYTWO, INSTANT.

ADVISED SA THAT THE ONLY RECORDS
OF ALL DR'S AND CIVILIANS INVOLVED IN MEDICAL TREATMENT AT ATTICA
ARE IN POSSESSION OF AT BUFFALO,
NEW YORK, TELEPHONE SEVEN ONE SIX DASH TWO SEVEN FIVE DASH FOUR
SIX ZERO FIVE. HAS NO SUCH RECORDS.

ALSO HAS ONLY LIST OF ALL PERSONS INJURED AT ATTICA.

STATED HE GAVE THE ONLY DETAILED REPORTS WHICH

END PAGE ONE

EX-100 REC 16 44-50605-101

55 NOV 9 1971

6-47

EXPAND ON THE NOTES FURNISHED BY HIM REGARDING DEATHS AT ATTICA
TO [REDACTED], BCI ATTICA, REPRESENTATIVE OF ASSISTANT ATTORNEY
GENERAL FISHER'S OFFICE AND STATES BELIEVES THESE WILL ONLY BE b6
RELEASED TO FBI OR ANY OTHER AGENCY BY SUBPOENA. b7C

THE REPORTS FURNISHED BY [REDACTED] MOSTLY HANDWRITTEN NOTES,
CONSIST ONLY OF ONE HUNDRED THIRTY TWO PAGES. HE STATES "I WAS
AT BOTH AND ATTICA WAS WORSE THAN SAIPAN AND THE LIMITED PAPER
WORK DONE WAS DONE UNDER EXTREMELY DIFFICULT CONDITIONS".

FD THREE ZERO TWO BEING SUBMITTED TO BUFFALO.

END

WJM FBI WA

UNITED STATES GOVERNMENT

Memorandum

TO: DIRECTOR, FBI
Attention: Mr. Dan Brenman
Mechanical Section

FROM: SAC, J. H. GAMBLE, BUFFALO (44-592)

SUBJECT: UNSUBS. Correctional Officers,
Attica Correctional Facility,
Attica, (Wyoming County), New York;
Unknown Victims,
Inmates of Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

DATE: October 28, 1971

RECEIVED
DEVELOPED
PRINTED
ENLARGEMENTS
COPIED
INSPECTED

JS
JS
11/1/71
JS

Remytelcall 10/27/71 and Remyairtel 10/27/71.

Enclosed herewith are one hundred and twenty-six (126) 35mm colored slides which represent items included in New York State Police legend as "Tray C". *Slides not marked - therefore cannot be correlated.*

These slides are further described on page two, item number five of retel and a legend for them has been furnished the Bureau. *amb*

These slides are Bureau property.

It is requested that the Mechanical Section make the number of copies of these slides as determined by the Civil Rights Section.

- 3 - Bureau (Encls. 126) (RM-AMSD)
(1 - Package)
- 2 - Buffalo (44-592)

EAH:cms
(5)

*To DR-71
11-2-71
11-75*

44-50605-

NOT RECORDED
5 NOV 4 1971



5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

3948

October 22, 1971

GENERAL INVESTIGATIVE DIVISION

At the request of the Civil Rights Division, we are conducting limited but intensive investigation of possible abuse of inmates in connection with the retaking of the Attica New York Correctional Facility (ACF) on 9/13/71.

Attached relates that Clarence B. Jones, member of Goldman Commission investigating ACF disorders advised 3 inmates told him they witnessed the shooting of inmate James Hicks by State Trooper after Hicks had surrendered. Another inmate advised Jones he was forced to lie on a table and was burned with lighted cigarettes, beaten, and threatened with castration. According to Jones, he received many complaints of brutality but could not furnish specifics.

[redacted] advised he interviewed approximately 32 inmates who alleged they were clubbed by State Police and Correctional Officers when forced to run gauntlet after the prison was secured. Inmates also reported beatings while being removed from ACF.

Buffalo advised hospital that treated number of inmates will not release records without subpoenas or waiver from patients. United States Attorney, Buffalo and Departmental Attorneys contemplating action to be taken to obtain records. [redacted] advised he possesses a quantity of records pertaining to treatment of inmates and would make these available. All movies, still pictures, statements and reports from New York State Police concerning retaking of ACF in its aftermath made available.

Investigation continuing and you will be kept advised of pertinent developments.

RHB/jak

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P257
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NR004 NY PLAIN

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

618 AM NITEL 10-22-71 JMC

OCT 22 1971

TO DIRECTOR

TELETYPE

ALBANY 44-691

BUFFALO 44-592 (SAC J.H. GAMBLE)

WASHINGTON FIELD

FROM NEW YORK 44-2086

Mr. Tolson ☒
Mr. Felt ☒
Mr. Rosen ☒
Mr. Mohr ☒
Mr. Bishop ☒
Mr. Miller, ES ☒
Mr. Callahan ☒
Mr. Casper ☒
Mr. Conrad ☒
Mr. Dalbey ☒
Mr. Cleveland ☒
Mr. Ponder ☒
Mr. Bates ☒
Mr. Tavel ☒
Mr. Walters ☒
Mr. Soyars ☒
Tele. Room ☒
Miss Holmes ☒
Miss Gandy ☒

UNKNOWN SUBJECT

~~UNSUBS~~, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL

FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN

VICTIMS DASH INMATES OF ATTICA, SUMMARY PUNISHMENT, CIVIL RIGHTS CR

REFERENCE NEW YORK TELETYPE TO BUREAU, OCTOBER
TWENTY LAST.

OCTOBER TWENTY ONE SEVENTYONE FOLLOWING INVESTIGATION CONDUCTED
IN NEW YORK.

[REDACTED], NEW YORK UNIVERSITY
NEW YORK CITY
MEDICAL CENTER, ~~we~~, STATED JUDGE HARRY D. GOLDMAN COULD NOT
BE INTERVIEWED BEFORE OCTOBER TWENTY NINE NEXT. **EX-100** **REC-45** **44-50605-102**

CLARENCE B. JONES, MEMBER OF GOLDMAN COMMISSION,
ADVISED OCTOBER TWENTY ONE SEVENTYONE THAT ATTICA INMATES

[REDACTED]
[REDACTED] TOLD HIM THEY
WITNESSED SHOOTING OF INMATE JAMES HICKS (NOW
DECEASED), BY STATE TROOPER ON SEPTEMBER THIRTEEN SEVENTYONE.
END PAGE ONE

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PAGE TWO

HICKS ALLEGED TO HAVE SURRENDERED PRIOR TO BEING SHOT.

[REDACTED] ATTICA STATE
PRISON, REPORTED TO JONES HE WAS FORCED TO LIE ON TABLE WITH
FOOTBALL UNDER CHIN AT WHICH TIME HE WAS BURNED WITH LIGHTED
CIGARETTE, BEATEN AND THREATENED WITH CASTRATION. THIS
INCIDENT WAS ALLEGED TO BE WITNESSED BY ATTICA INMATE [REDACTED]
[REDACTED]

JONES FURTHER ADVISED HE RECEIVED MANY COMPLAINTS
OF BRUTALITY FROM INMATES BUT HAD NO SPECIFICS AVAILABLE.

[REDACTED] OF THE CORRECTIONAL
ASSOCIATION OF NEW YORK, [REDACTED]

[REDACTED] ADVISED THAT HE WAS APPOINTED TO THE SPECIAL PANEL BY
JUSTICE HARRY GOLDMAN TO LOOK INTO COMPLAINTS OF INMATES OF
ABUSES COMMITTED BY CORRECTION OFFICERS AND STATE TROOPERS
AFTER ATTICA PRISON FACULTY WAS RESCUED.

HE SAID HE ARRIVED ON FRIDAY, SEPTEMBER SEVENTEEN
LAST AT ATTICA AND CONDUCTED SUPERFICIAL INTERVIEWS.
LATER HE DETERMINED THAT A NUMBER OF INMATES FORMERLY
IN HOUSING BLOCK Z AT ATTICA WERE TRANSFERED TO CLINTON
PRISON. HE CONDUCTED APPROXIMATELY THIRTY TWO INTERVIEWS OF THESE
END PAGE TWO

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PAGE THREE

INMATES WHO HAVE ALLEGED AMONG OTHER THINGS THAT THEY WERE FORCED TO RUN A GAUNTLET IN THE AFTERNOON FOLLOWING THE SECURING OF THE PRISON WHERE THEY WERE CLUBBED BY STATE POLICE AND CORRECTION OFFICERS.

HE SAID SOME OF THESE INMATES REPORTED OTHER BEATINGS ON TUESDAY WHILE BEING REMOVED FROM ATTICA. HE SAID THE PANEL ACTED MORE OR LESS AS A BUFFER DURING TRANSITION PERIOD WHEN CONTROL WAS BEING RETURNED TO LEGITIMATE AUTHORITY FROM THE INMATES.

[REDACTED]
[REDACTED] INTERVIEWED OCTOBER TWENTY

ONE SEVENTYONE. [REDACTED] OBSERVED TWO OR THREE INMATES STUMBLE ON CIRCULAR STAIRWAY IN SECOND FLOOR AREA IN BUILDING WHERE THE "BOX" IS LOCATED WHILE BEING ESCORTED BY GUARDS TWO DAYS AFTER AUTHORITIES REGAINED CONTROL OF PRISON. [REDACTED] STATED HE COULD IDENTIFY GUARDS, BUT HE REFUSED TO DO SO FEARING HIS PAROLE WOULD BE VIOLATED. [REDACTED] OBSERVED TO BE IRRATIONAL, ILLOGICAL AND BELLIGERENT.

END PAGE THREE

b6
b7C

PAGE FOUR

LEAN SILVERMAN STATED HE COULD PROVIDE NO
INFORMATION IN ADDITION TO THAT ALREADY PROVIDED BY EDWARD
CARR.

ADMINISTRATIVE.

FD THREE ZERO TWO FOLLOWS TO BUFFALO.

END

DCW

FBI WASH DC

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bates

DATE: October 28, 1971

FROM : C. L. McGowan

SUBJECT: UNKNOWN SUBJECTS; CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY),
NEW YORK; UNKNOWN VICTIMS - INMATES
OF ATTICA; SUMMARY PUNISHMENT;
CIVIL RIGHTS

1 - Mr. Rosen
1 - Mr. Bates
1 - Mr. Shroder
1 - Mr. McGowan
1 - Mr. McDonough
1 - Mr. Felt
1 - Mr. Mohr
1 - Mr. Bishop

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Tele. Room _____
Holmes _____
Gandy _____

The report of the investigation requested by the Civil Rights Division concerning alleged prisoner abuse during the retaking of the Attica, New York, Correctional Facility on 9-13-71, has been received from SAC Joseph H. Gamble of the New York Office who has been in charge of supervision of the investigation out of the Buffalo Office. The report consists of in excess of 150 pages with enclosures covering autopsy and medical reports of injured and deceased inmates as well as deceased hostages, reports of the State Police investigation as well as New York State Correction Department, Monroe County Sheriff's Office, State Park Police reports and Army and Air National Guard reports, totaling several thousand pages. Photographic material, including still photographs, slides, motion pictures, and video tapes have also been received and appropriate reproductions are being made in the FBI Photographic Laboratory and will be forwarded to the Civil Rights Division as processing is completed.

All requested investigation has been completed with the exception that Justice Harry Goldman of the New York State Appellate Division who is head of a panel appointed by Governor Nelson Rockefeller established for the purpose of insuring the Constitutional rights of inmates were being protected, underwent vascular surgery on 10-13-71, and according to his doctor, may be available for interview later this week. The New York Office is following this closely and will interview Justice Goldman when he is made available.

The majority of individuals contacted furnished general allegations of reported brutality, most of which information was second or third hand and covered alleged beatings during running of a gauntlet by prisoners, reported shootings of inmates and other harassment after the retaking of the Facility.

EJM:smp
(9)

EX-100

REC-44

CONTINUED - OVER

MCT-52

NOV 4 1971

COPY MADE FOR MR. TOLSON

55 NOV 12 1971

6-epm

McGowan to Bates Memorandum
RE: UNSUBS; CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA

ACTION:

Since the requested investigation with the exception of interview with Justice Goldman in New York City, has been completed and the report and supportive material has been received from SAC Gamble, it is recommended that with the Director's approval, SAC Gamble be instructed to return to his headquarters in New York City. The report of the investigation and its enclosures are being forwarded to the Civil Rights Division for its consideration. - *Rq to CRD 10/28/71 gpm*

EJM

CLM

RS

CLMB.

R

OK.

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TOP

7

JS

*SAC Gamble was
advised on 10/28/71 & he
returned to NYC. CLM*

UNITED STATES GOVERNMENT

Memorandum

Tolson ☒
Felt ☒
Rosen ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
Dalbey ☒
Cleveland ☒
Ponder ☒
Bates ☒
Tavel ☒
Walters ☒
Soyars ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

TO : Mr. Bates *EWB*
CLM

DATE: 10/27/71

1 - Mr. Rosen
1 - Mr. Bates
1 - Mr. Shroder
1 - Mr. McGowan
1 - Mr. McDonough
1 - Mr. Felt
1 - Mr. Mohr
1 - Mr. Bishop

FROM : C. L. McGowan *CLM*

SUBJECT: UNKNOWN SUBJECTS, CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY),
NEW YORK; UNKNOWN VICTIMS-INMATES OF
ATTICA; SUMMARY PUNISHMENT; CIVIL RIGHTS

Attica State Prison

At the request of the Civil Rights Division (CRD), we are investigating the possible abuse of inmates in connection with retaking of the Attica, New York, Correctional Facility on 9/13/71.

SAC Joseph H. Gamble of the New York Office, who is in charge of supervision of the investigation in this matter out of the Buffalo Office, has advised that all requested investigation has been completed with the exception of the interviews of [redacted] National Medical Association delegation who was at the Attica Correctional Facility at the time of the retaking on 9/13/71; Justice Harry Goldman of the New York State Appellate Division who is head of a panel appointed by Governor Nelson Rockefeller established for the purpose of insuring the constitutional rights of inmates were being protected; and the obtaining of additional photographs from the New York State Police. According to SAC Gamble, the State Police have advised that they will make the additional photographs available today and they will be incorporated in the over-all investigative report which will be submitted to the Bureau by the close of business today.

SAC Gamble advised that the New York Office anticipates interviewing [redacted] today. Justice Goldman underwent vascular surgery 10/13/71 at the New York University Medical Center in New York City and has been confined in the intensive care unit at that institution. His doctor anticipates that he may be available for interview later this week. The results of the interviews of [redacted] and Goldman by the New York Office will be submitted as expeditiously as possible.

Since all requested investigation at Attica has been completed, SAC Gamble plans to return to his headquarters in New York City upon submission of the investigative report today.

JGK/EJM/pwl (9)

CONTINUED - NOV. 4, 1971

NOV 12 1971

Handwritten notes:
The Bureau
Palm 10/28/71
EJM:imp.

Handwritten: 6-epm

McGowan to Bates Memorandum
RE: - UNSUBS, CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA

ACTION: You will be advised of all pertinent developments.

Upon receipt of the investigative report, it will be carefully reviewed at the Bureau and thereafter copies will be furnished to the Civil Rights Division of the Department.

RS/cam EJM

CLM/JK CMB

DB AS

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PBT
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Jim

GAMBLE WILL NOT
LEAVE FOR NEW YORK
UNTIL DIRECTOR APPROVES

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²
Right.
A

NR 058 NY PLAIN

130 AM 11-4-71

URGENT 11-3-71 KEH

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NOV 4 1971

TELETYPE

TO DIRECTOR

BUFFALO (44-592)

FROM NEW YORK (44-2086) (RUC)

Attica State Prison

UNSUB; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL

FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS

DASH INMATES OF ATTICA, SUMMARY PUNISHMENT, CR.

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

REFERENCE BUREAU TELEPHONE CALL TO NEW YORK AND

NEW YORK TELEPHONE CALL TO BUFFALO NOVEMBER THIRD, INSTANT.

[REDACTED] OF DEPARTMENT OF SURGERY,
NYU MEDICAL CENTER, COULD NOT BE REACHED TO DETERMINE CONDITION
OF JUDGE HARRY D. GOLDMAN, NOVEMBER FIRST AND SECOND, LAST.

ON NOVEMBER THIRD, INSTANT, SECRETARY TO [REDACTED]
STATED JUDGE GOLDMAN HAD BEEN SENT HOME AND IS UNDER THE CARE OF

[REDACTED] OF GENESSEE HOSPITAL, ROCHESTER, NEW YORK.

SECRETARY WOULD NOT PROVIDE AN ADDRESS FOR THE JUDGE BUT STATED
THIS WOULD HAVE TO BE OBTAINED FROM [REDACTED]

BUFFALO CONTACT [REDACTED] AND ARRANGE FOR INTERVIEW
OF JUDGE GOLDMAN. TELEPHONE RESULTS OF GOLDMAN INTERVIEW TO
BUREAU AND FOLLOW WITH REPORT.

E N D

DCW

FI FBI WSASH DC

REC-18

NOV 4 1971

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b7C

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b7C

50605-105

11/5/71

Airtel

1 - Mr. McDonough

To: SAC, Buffalo

From: Director, FBI

b6
b7C

**UNKNOWN SUBJECTS,
CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA;**

**SUMMARY PUNISHMENT
CIVIL RIGHTS**

**Enclosed are two reels of 8mm film forwarded
by your airtel 10/27/71.**

Enclosures (2)

1 - New York (Info)

**EJM/mkc
(4)**

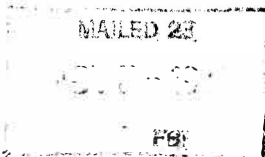
EX-115

REC-11

44-50605-106

7 NOV 8 1971

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____



MAIL ROOM ☒ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 11/5/71	INVESTIGATIVE PERIOD 10/29 - 11/3/71
TITLE OF CASE UNSUBS; Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York; UNKNOWN VICTIMS - Inmates of Attica		REPORT MADE BY THOMAS M. SHAUGHNESSY	TYPED BY ;sal
		CHARACTER OF CASE SUMMARY PUNISHMENT CIVIL RIGHTS	

REFERENCES:

Report of SA THOMAS M. SHAUGHNESSY, dated 10/27/71
at Buffalo.

- P -

ENCLOSURES

TO BUREAU

Four (4) copies of additional handwritten medical reports,
prepared by other doctors, received from [redacted] at Buffalo,
New York.

(B-1)

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

4 - Bureau (Encs. 4)

5 - Buffalo (144-592)

ENCLOSURE

ENC. BEHIND FILE
"ENCLOSURE ON BULKY RAMP"

44-50605-107

REC 20

22 NOV 9 1971

ST-102

Dissemination Record of Attached Report				Notations
Agency	Request Recd.	Date Fwd.	How Fwd.	
(X)		11/1/71	9410	<p>STAT SECT.</p> <p>Extra copies, med report enclosure [unclear] [unclear]</p>

55 NOV 30 1971

COVER PAGE

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b7C

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Upon the return of all photographic material submitted to the FBI Laboratory, will return all these items to the staff of ROBERT E. FISCHER at Attica Correctional Facility.

ADMINISTRATIVE

Five copies of this report have been designated for Buffalo since it is possible that after the Civil Rights Division of the Department has reviewed the information in this report, requests for further investigation will be made at Albany, Buffalo and New York City.

No copy of this report has been designated for the United States Attorney, Buffalo, since request for the limited investigation emanated from the Department. However, if the Department requests that the United States Attorney subsequently be furnished with a copy, the Buffalo Office will be in a position to furnish this copy.

All persons contacted in this investigation were advised that the investigation was being conducted at the specific request of Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: THOMAS M. SHAUGHNESSY Office: Buffalo, New York
Date: 11/5/71
Field Office File #: 44-592 Bureau File #:
Title: UNKNOWN SUBJECTS;
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - Inmates of Attica
Character: SUMMARY PUNISHMENT - CIVIL RIGHTS

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Synopsis:

The Honorable HARRY D. GOLDMAN, Presiding Justice, Fourth Department, Appellate Division of the New York State Supreme Court, advised he was requested by Governor NELSON ROCKEFELLER in 9/71 to select a panel to study the Attica Correctional Facility (ACF) uprising. Governor ROCKEFELLER told Judge GOLDMAN that GOLDMAN could not personally take any part in the functions of the panel and could not serve as an inactive member of the panel. [REDACTED] E. J. Meyer Memorial Hospital, Buffalo, New York, furnished additional handwritten medical records prepared by other doctors relative to the treatment of prisoners after the uprising at ACF. Results of interview of [REDACTED] set forth.

- P -

Details:

This is a limited investigation relative to the events occurring after 9:46 AM on September 13, 1971, at the Attica Correctional Facility (ACF), Attica, New York. It is to be noted that 9:46 AM on September 13, 1971, was the time that the New York State Police and other law enforcement officers started the retaking of the ACF, which had been taken over by the inmates on September 9, 1971.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/4/71

The Honorable HARRY D. GOLDMAN, Presiding Justice, Fourth Department, Appellate Division of the New York State Supreme Court, was contacted for interview at his residence, 210 Pelham Road. Justice GOLDMAN furnished information as follows:

During September, 1971, he was requested by Governor NELSON ROCKEFELLER to select and designate a panel of qualified individuals to study the Attica prisoner uprising. At that time, the Governor told him he could not personally take any part in the functions of the panel and could not serve as inactive member of this panel.

Justice GOLDMAN has not received any specific complaints of prisoner abuse either in person or by letter. Had he received complaints of this nature, he would have immediately furnished same to the panel members.

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Interviewed on 11/4/71 at Rochester, New York File # Buffalo 44-592
by SAs [redacted] nd [redacted] Date dictated 11/4/71
AS:pmg

-2-

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 11/3/71

[redacted]
[redacted] Cardiac Surgical Section, E. J. Meyer Memorial
Hospital, Buffalo, New York, made available [redacted]
records pertaining to the inmates of Attica Correctional
Facility, Attica, New York, during the period September 13-
17, 1971.

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These records can be located in Exhibit B-1.

Interviewed on 10/29/71 at Buffalo, New York File # Buffalo 44-592

SA [redacted] and SA SYLVESTER B.

by SMI/VP/IMK

-3-

Date dictated 11/1/71b6
b7C

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 11/4/71

[redacted] Cardiac Surgery, Edward J. Meyer Memorial Hospital, 462 Grider, Buffalo, New York, voluntarily furnished the following information during an interview at his office at the Edward J. Meyer Memorial Hospital:

[redacted] referred to the previous interview in which he outlined the period in which he was at the Attica Correctional Facility (ACF) directing the surgical effort following the assault to regain control of the facility.

On Monday, September 13, 1971, he arrived at ACF in mid-afternoon. Two patients had been operated on by doctors from Batavia and two other operations were performed by the surgical team headed up by [redacted]. These were the most urgent cases of inmate injuries. The initial medical sorting out had been done by [redacted]. During this period, wounded were still lying on stretchers in the corridors of the ACF prison hospital facility and as they were seen by medical personnel, they were transferred to the infirmary section. By 11 PM or midnight of Monday, September 13, 1971, the Meyer Memorial surgical team had completed treatment of all the major or intermediate wounds that required attention that first day. The most seriously wounded or injured were seen first and treated and all chest and abdominal wounds were treated by 5 to 6 PM that evening. The remainder of the day was spent in treating the more superficial wounds such as arm and leg wounds.

[redacted] initially selected three inmates for transfer to the Edward J. Meyer Memorial Hospital and later five more were added for transfer to the security section of the Edward J. Meyer Memorial Hospital on the first day. Two of these inmates had head wounds and the remainder had abdominal or chest penetrating wounds.

The medical effort by the Meyer Memorial surgical team was terminated at approximately midnight, September 13, 1971, as they had seen all the most serious wounds that required treatment that day and the surgical team was very exhausted. Any inmate who suffered any size wound was given

Interviewed on 11/3/71 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] and
SYLVESTER B. SMITH/VP:mlr -4- Date dictated 11/4/71

antibiotics and all superficial wounds debrided that first day at the prison hospital facility. [] stated that he felt they accomplished the initial ~~medical~~ phase in that in addition to the treatment of wounds, all fractures had been set and treated.

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The surgical plan for Tuesday, September 14, 1971, was to see all the persons that they had treated the first day for post operative examination and to make efforts to locate any additional serious injuries. They did locate one major case of a gunshot wound in the abdomen. The operation was performed and this inmate, name unrecalled, was later transferred to the Edward J. Meyer Memorial Hospital. This patient was discovered during the examination of those who had received initial treatment and the extent of his wound was not medically appreciated the previous day.

On Tuesday, September 14, 1971, the surgical effort seemed well under control by 11 AM to 12 noon and [] advised he toured Cell Blocks A and E looking for inmates with wounds that required ~~surgical attention~~. He noted that this was the same day that [] toured the same cell blocks looking for inmates requiring medical attention. One problem that was incurred was getting an inmate who required surgical treatment to the first aid station as the policy at the time was one guard to escort one inmate. No one other than VINCENT MANCUSI, Superintendent of ACF, had the authority to designate the assignment of guards for inmate escorts. [] remarked that MANCUSI was totally cooperative and sighted the example that some inmates had been designated for transfer to the Edward J. Meyer Memorial Hospital and had been placed in the ambulance, but the transfer had not been effected as no one had designated guard escorts. MANCUSI was contacted by [] regarding this and he immediately assigned guards for escorts and the transfer was initiated almost immediately.

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[] felt that the surgical problem the first day was primarily a matter of an unfamiliar situation. There was not enough operating room or first aid space in the ACF prison hospital facility. He did note that all persons seen and treated surgically the first day were rechecked on the second day for any post operative complications. On Tuesday the last significant surgical work was completed and after this point, the operating room was also used as a first aid room.

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On Tuesday, September 14, 1971, [redacted] personally toured Cell Block E and partially inspected Cell Block A. Other members of the surgical team had also come through Cell Block A and advised him that no major surgical problems existed in Cell Block A.

[redacted] noted that a few penetrating wounds were located during his tour of Cell Blocks E and A; practically all of these wounds were in the extremities. He did locate one fractured arm that required setting and a cast in the vicinity of the elbow. From his review of the operational records, he was not able to locate the inmate's name, however, he remembered the name as [redacted] (phonetic), and said the inmate had advised him that he suffered the arm injury at the elbow in the process of deflecting a club blow during the hostilities on Monday. The broken arm was treated by an orthopedist, name unknown.

[redacted] noted all club wounds that he saw during his tour of Cell Blocks E and A were in the vicinity of the buttocks and back and he deduced that the inmates had apparently run a gauntlet. He advised that a relatively small percentage of inmates had any bruise type wounds or contusions at all and many inmates had none at all. Many inmates told him during his tour of the cell blocks that they had been swatted back to their cells. He felt it would be very difficult to estimate the percentage of inmates who suffered contusions. He said he never saw nor heard from guards anything to suggest that either the correctional guards or State Police felt differently toward the white or black inmates.

He noted that many of the inmates told him that they had to run a gauntlet of State Troopers and correctional guards from the facility yard back to their cells in Cell Blocks A and E after the cessation of hostilities. Many inmates advised him during his tour of the cell blocks that the State Troopers were more aggressive when they ran the gauntlet. [redacted] said he had no impression that any physical force was used against the inmates other than to accomplish the basic objective of moving the inmates out of the yard and back to their cells in order to regain control of the facility. He again noted that most of the contusions were on the buttocks and adjacent areas. He did not see anything that suggested to him that an inmate had simply been beaten as reprisal. He specifically noted that very few

head lacerations were noted during his inspection and the worst injury noted previously that he located was the broken arm. He said this suggested to him that the correctional officers and State Troopers were not indiscriminately using force on vital areas of the body such as the head, but simply trying to move a large number of inmates from the yard back to their cells to secure the facility. He also noted that he did see a number of bruises and lacerations on inmates due to falling as they were apparently running back to their cells.

He further noted that one black inmate, name unknown, approximately 40 years of age, in Cell Block E, told him that he was beaten by his fellow inmates for hiding a correctional guard in his cell. This inmate had pushed the guard into his cell and locked him in in an effort to save his life. This fact was discovered by other inmates and this black inmate was beaten, kicked and made to lie down while the other inmates walked on him in retaliation for giving assistance to the guard. When pressed to estimate the approximate percentage of inmates who had visible bruises in Cell Blocks E and A, [redacted] advised the best he could do was estimate that 10 to 30 percent suffered visible contusions. His personal evaluation was that the contusions appeared to be mostly on the white inmates as they were easier to see than on the black inmates.

[redacted] advised that it became apparent to him within the first half hour of the first day that there would be a massive amount of misinformation concerning the chaos at Attica. He noted that if you ask an inmate what happened, the inmate would indict all others and leave himself looking lily white. If you ask a guard, the guard would mention what he had seen, what he had been told by others and probably later on believe that he himself saw it. He noted that most of the information that the correctional guards and Dr.

[redacted] had concerning the Attica situation was what they had heard on the radio. He noted the stories of castration of the guards and slashing of throats had to have some effect on the correctional guards and he personally made efforts to track down the origin of the stories regarding castrations with negative results. [redacted] placed the blame, in his opinion, primarily on the news media and stated he did not feel that they sought out accurate information from competent authorities when it was available. He noted that they camped at the front door of ACF and interviewed people

when they entered and left the facility. During his time at ACF, [] said he and the surgical team used the rear door and drove their automobiles right to the rear entrance of the prison hospital facility. He noted that he was first contacted on Thursday, September 16, 1971, in the evening by both the "New York Post" and "Medical World News" for his personal evaluation. This was the first contact he knew of by the press for himself, [] or any member of the surgical team.

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He advised he felt "Medical World News" [] as he felt [] worked harder and longer than the other personnel treating the inmates of Cell Blocks A and E.

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He noted one interview that was widely quoted was that of a first year resident medical student at the Edward J. Meyer Memorial Hospital. This student based his entire knowledge on one single instance that occurred in Dr. [] presence. A prison inmate was lying on a stretcher in the corridor and was verbally abusing the guard or State Trooper present. The guard proceeded to give him a light tap on the forehead which was audible but was not severe enough to break the skin in an effort to get the prisoner to put his head down on the stretcher. The verbal abuse continued and a State Trooper walked over to the inmate and knelt down beside him and commanded him without any physical force to lie back down on the stretcher.

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The medical student, name not recalled, was so inflamed at seeing the guard tap the inmate that he ran to the guard and berated him violently for his "brutality" to an injured man. This student later furnished information to the news media in an interview at the ACF front gate and also spoke at a student rally and sit-in at Capen Hall, State University of New York at Buffalo Medical School on September 16 or September 17, 1971. His entire knowledge of "brutality" was limited to this single instance.

[] was advised that this inmate reportedly was a ring leader. He was a Puerto Rican who spoke very bad English and [] recalled his name as [] who had suffered a fractured leg from a gunshot wound.

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BU 44-592

~~-6-~~

The interview was terminated at this point at the request of [redacted] due to the presence of other medical business. He advised he had basically furnished all he knew regarding Attica but if specific questions were raised in the future, he would be more than glad to have a subsequent interview to resolve them as best he could.

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Medical records previously made available by [redacted]
[redacted] were returned to him at the time of this interview.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 11/5/71	INVESTIGATIVE PERIOD 10/29 - 11/3/71
TITLE OF CASE UNSUBS; Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York; UNKNOWN VICTIMS - Inmates of Attica		REPORT MADE BY THOMAS M. SHAUGHNESSY	TYPED BY ;sal
		CHARACTER OF CASE SUMMARY PUNISHMENT CIVIL RIGHTS	

REFERENCE: Report of SA THOMAS M. SHAUGHNESSY, dated 10/27/71
at Buffalo.

- P -

ENCLOSURES

TO BUREAU

Four (4) copies of additional ~~handwritten medical reports~~, prepared by other doctors, received from [redacted] at Buffalo, New York. b6 b7C

(B-1)

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED					SPECIAL AGENT IN CHARGE		
COPIES MADE:					DO NOT WRITE IN SPACES BELOW		
④ - Bureau (Encs. 4) 5 - Buffalo (44-592)							
Dissemination Record of Attached Report					Notations		
Agency							
Request Recd.							
Date Fwd.							
How Fwd.							
By							

Mr. Tolson	✓
Mr. Felt	✓
Mr. Rosen	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Miller, E.S.	✓
Mr. Callahan	✓
Mr. Casper	✓
Mr. Conrad	✓
Mr. Dalbey	✓
Mr. Cleveland	✓
Mr. Ponder	✓
Mr. Bates	✓
Mr. Tavel	✓
Mr. Walters	✓
Mr. Soyars	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

NOV 7 11

Mr. Edward Q. Carr, Jr.
 Attorney-in-Chief
 The Legal Aid Society
 Eleven Park Place
 New York, New York 10007

Dear Mr. Carr:

Your letter of October 26, 1971, to Special Agent [redacted] Federal Bureau of Investigation, has been forwarded to this Division.

As you will recall, your letter of September 25, 1971, delivered to me on September 27, 1971, indicated that the Legal Aid Society of New York had reason to believe that possible violations of federal civil rights statutes had occurred at Attica subsequent to the riot. We have undertaken an investigation for the purpose of determining whether such violations occurred. It is for that reason that you were contacted by the Federal Bureau of Investigation.

It is our hope that you will cooperate in every way possible in this investigation and make available to the FBI such information as you may have relating to possible violations of the federal civil rights laws.

Sincerely,

DAVID L. NORMAN
 Assistant Attorney General
 Civil Rights Division

cc: Federal Bureau of Investigation

RECORDED

NOV 5 1971

b6
b7C

REC 20 44-506057-208
 NOV 9 1971
 11-9-71
 11-9-71

11/9/71

Airtel

EX-100

REC 20

44 - 50605 - 108

1 - Mr. McDonough

To: SACs, New York
Buffalo

From: Director, FBI

UNKNOWN SUBJECTS;
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS -
INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS
OO: BUFFALO

Enclosed for each office is a copy of a letter received from the Civil Rights Division.

The Civil Rights Division advises it will not be necessary for you to contact Carr unless he contacts your office to furnish desired information in this matter.

This is for completion of your files.

Enclosure

EJM/mkc
(6)

b6
b7C

NOTE:

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Gandy _____

Above per [redacted] Civil Rights Division to
SA McDonough on 11/9/71.

59 NOV 17 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 11/2/71

FROM : SAC, NEW YORK (JOSEPH H. GAMBLE)

SUBJECT: UNSUBS; CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA,
SUMMARY PUNISHMENT, CR

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, E.S.	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

The purpose of this letter is to recommend that letters of commendation be directed to the SACs at Buffalo, Albany, Washington Field and New York commending, through them, employees of their offices who worked so diligently in connection with the investigation in captioned matter.

SAC BROUSE, Special Agents and clerical personnel assigned to his office worked long hours on the weekend and holiday in order to expeditiously obtain much of the information requested by the Bureau. They had considerable difficulty in locating reports, records and photographs and it was only due to their probative inquiries and the masterful manner in which they handled medical personnel whom they contacted, that these records were expeditiously obtained. Clerical personnel were utilized to Xerox over 2,000 items for the Bureau, together with the necessary copies, and the duplicating continued day and night over the weekend and holiday. The spirit of cooperation among the clerical personnel was outstanding. We had more volunteers than we could use.

Albany, Washington Field and New York also conducted investigation assigned to them in a most expeditious manner and personnel in these offices also worked long hours and performed their tasks in a very commendable fashion.

As stated above, it is requested that the Bureau direct a letter of commendation to the SACs of these offices so that copies may be placed in the files of those employees who participated in this investigation.

2 - Bureau
1 - New York
Enclosures
JHG:IM
(3)

EX-103

REC 20

44-50605-109

17 NOV 4 1971

three

SEE GENERAL INVESTIGATIVE DIVISION ADDENDUM PAGE 2

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



11/5/71

EJM/mkc

At request of Civil Rights Division we conducted expedite inquiries concerning alleged prisoner abuse after retaking of the Attica, New York, Correctional Facility on 9/13/71. Investigation in field was under personal supervision of SAC, Joseph H. Gamble of the New York Office who handled it out of our Buffalo Office. Results covering numerous interviews, obtaining of legal, medical and investigative records and reports as well as movie, still and video films were completed and forwarded Civil Rights Division in minimal time.

General Investigative Division agrees with recommendation of SAC, Joseph H. Gamble that letters of commendation be directed to SACs at Buffalo, Albany, Washington Field and New York* which offices conducted expedite investigation, commending through them, employees who worked so diligently in this matter. * CRIMINAL DIVISION

General Investigative Division also recommends individual letter of commendation to SAC, Joseph H. Gamble for his vigorous and diligent efforts in supervising this investigation in the field.

EJM

CJM/JK

R/GCM

RS
CMB

(11-11-71)

Appropriate letters attached for SAC, Joseph H. Gamble and SACs Karl L. Brouse, Odd T. Jacobson, Robert G. Kunkel and John F. Malone.

✓
OKH2
JAN

[Signature]

LT
PST
7

REC 20

44-50605-109

November 11, 1971

EX-103

Mr. John F. Malone
Federal Bureau of Investigation
New York, New York

Dear Mr. Malone:

Through you, I would like to commend the employees of the Criminal Division who participated so capably in connection with the investigation of a Civil Rights matter.

Everyone continually discharged his assignments with dispatch, accuracy and a great deal of proficiency, thus making a notable contribution to the success that was realized in this vital undertaking. I ask that you convey to all concerned my deepest appreciation for a job well done.

Sincerely yours,

J. Edgar Hoover

MAILED 20
NOV 11 1971
FBI

1 - SAC, New York (Personal Attention)
Re: Attica Correctional Facility

b6
b7C

Place a copy of this letter in files of personnel who participated in this matter but were not individually recognized.

1 - Sent Direct)

SMA *uma* (5)

Based on New York letter 11/2/71 and addendum General Investigative Division 11/5/71 re Unsubs; Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York; Unknown Victims - Inmates of Attica, Summary Punishment, CR.

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐



Office of the Attorney General
Washington, D. C.

PLP

Mr. Tolson	
Mr. Pelt	
Mr. Rosen	
Mr. Mohr	
Mr. Bishop	
Mr. Miller, ES	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Ponder	
Mr. Bates	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

Inmate
Corrections Officer
Attica Correctional Facility, New York
Unknown Victims - Dismissal of action
C.R.

OCT 19 1971

ATTICA CORRECTIONAL FACILITY

Honorable Nelson A. Rockefeller
Governor, State of New York
Executive Chamber
Albany, New York 12224

Mr. [unclear]

Dear Governor Rockefeller:

This is responsive to your letter of October 5, 1971, in which you formally requested the Civil Rights Division of the Department of Justice to investigate claims by Attica inmates that their rights have been violated.

me [unclear]

Based on your request, I have directed Mr. David L. Norman, Assistant Attorney General, Civil Rights Division to conduct appropriate investigation of any specific allegations of physical mistreatment that appear to constitute a deprivation of civil rights violative of federal law. Mr. Norman has advised me that representatives of the Civil Rights Division have met in Albany with Deputy Attorney General Fischer to establish the procedure for transmitting to this Department any evidence or allegation of such violations.

Li

Please be assured of the continuing cooperation of this Department in all matters of joint concern and responsibility.

Sincerely,

John N. Mitchell

JOHN N. MITCHELL

44-50605-110

REC 20

44-50605-61

EX-104

NOV 4 1971

[Handwritten initials]

6. 50

F B I

Date: 10/27/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO : DIRECTOR, FBI
(ATTENTION: MECHANICAL SECTION)

FROM: SAC J. H. GAMBLE, BUFFALO (44-592)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS,
Inmates of Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

Rerep of SA THOMAS M. SHAUGHNESSY dated 10/27/71 at Buffalo.

There are enclosed herewith the following listed items:

(1) Four reels of video tape. The video tape has been copied and the enclosed copies are the property of the FBI. There is no audio or explanatory material in connection with these tapes.

(2) Two reels of eight millimeter film, which represents 11 separate reels of motion pictures taken at the Attica Correctional Facility during the period 9/9-13/71. Enclosed also are four copies of the summary of contents of the 11 reels of State Police film. (to NATL CINE LAB 10/28)

(3) 60 - 3" X 5" color photographs. No legend is available.

ENCLOSURE

- 3 - Bureau (Enc. 1383) (AM)
 (1 - With Package)
 2 - Buffalo
 CEU:caw
 (5)

REC-4

NOV 4 1971

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

2240A8 - 1512

Roll Photo Unit

11 20 ~~per~~ 10/27/71 ~~per~~

[Faint, mostly illegible text, possibly a memorandum or report, covering the majority of the page.]

(4) Three boxes containing 118 - 35 millimeter color slides. No legend is available. *to CR 10/29*

(5) One package containing 220 slides which are labeled as to letter designation. There is an additional 89 slides which are duplicates and duds. These were furnished by the NYSP and are being forwarded for the Bureau's discretion as to duplication. There are four copies each of the legends of these items being submitted. It should be noted in connection with these that the legend contains reference to a "C" tray of 126 slides. These slides are presently being processed by Eastman Kodak and will be forwarded Air Mail on 10/28/71 directly to the Mechanical Section. These 126 slides of this "C" tray need not be returned once received at the Bureau. *to CR 10/29 Not "C"*

(6) 25 envelopes containing 461 photographs of 8"x10" black and white. Also forwarded are four copies of the legend explaining these photographs. In addition, four copies of a preliminary film inventory is submitted. It will be noted that the missing sequence numbers of the black and white on the preliminary inventory are color items. *to CR 10/29*

4/3-197 (63-111 A.S.S.A.)
(7) 143 - 5"x7" color photographs taken at Attica. Four copies of the legend are also submitted. *to CR 11-1-71*

(8) 128 color photographs taken by Monroe County Sheriff's Office personnel at Attica. Four copies of a legend are enclosed. *to CR 11-1-71*

(9) Four folders containing 122 - 8"x10" black and white photographs. Four copies of each legend are set forth for Folders One, Two and Four. There is no legend for Folder Three. *to CR 10/29*

All color photographs and slides, except as set forth above in regard to "C" tray, should be duplicated and returned to Buffalo as expeditiously as possible. The movie reels should also be returned as expeditiously as possible. *Returned to Buffalo with SA Lewis 10/29/71*

Black and white photographs can be handled in the normal course of business.

It was noted above that the video tapes need not be returned.

BU 44-592

It is requested that the Mechanical Section make two copies of the above photographic material.

All of the above material has been referred to in referenced report and it should be furnished to the Civil Rights Section under the exhibit number under which it has been transmitted to the Mechanical Section. The Civil Rights Section can thereafter return their copy and forward a correctly identified copy to the Department and one copy to Buffalo. These exhibits will then complement the information set forth in the report.

FBI

Date: 10/24/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, BUFFALO (44-592 Sub 5) (C)

UNSUBS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - INMATES OF ATTICA;

SUMMARY PUNISHMENT
CIVIL RIGHTS

Enclosed for the Bureau is the original and three (3) copies of a self-explanatory LHM concerning captioned individual.

Indices of the Buffalo Office contain no information identifiable with captioned inmate.

A copy of this LHM has been furnished the United States Attorney (USA), Western District of New York (WDNY), Buffalo, New York, by separate communication.

One information copy being submitted to New York since [redacted] currently confined to the Great Meadow Correctional Facility.

2 - Bureau (Encs. 1) (AM)
1 - New York (Enc. 1) (Info) (AM)
1 - Buffalo
CEU:mlr
(4)

Enclosure EX-100
REC-19 44-50605-112
44-50605-112
1cc CR4
10-29-71
18 OCT 28 1971
10-29-71

Approved: _____

54 NOV 1971

Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
October 24, 1971

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - INMATES OF ATTICA;

[REDACTED] NY

b6
b7C

On October 22, 1971, [REDACTED]
to United States District Court Judge JOHN T. CURTIN,
made available at Judge CURTIN's instructions the following
letter, a copy of which is as follows:

APR 5 1972
JTB
XEROXED ORIGINAL-11/1/71
741

44-50605-112
14-0-20146
ENCLOSURE

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - INMATES OF ATTICA;



b6
b7c

Name Judge John Ewing, Western Dist.?
Street & No. Judge's Chamber's
City Buffalo, N.Y. 14202 N.Y.

When Replying Sign Your Full Name and Address
Give Inmate's Full Name and Number

Box 51
Comstock N. Y. 12821

Date October 7, 1971

Honorable Justice Ewing

I would very much like to bring to your attention the following eye witnessed reports that I had been unfortunate to observe. first, I would like to explain something of my back ground to you, I am a recent transferee from the "Attica Correctional Facility," due to the insurrection and turbulent conditions. And while residing at said Prison, during the dates of Sept 9, 1971 to Sept 13, 1971, I witnessed these atrocities: (1). I saw outright indiscriminate slaughtering of both the Correction officers and inmates, during the advancement upon them by the State police on Sept 13, 1971 at approximately 9:45 A.M. (2). I saw other atrocities too numerous to mention in this letter.

I would also like to bring this to your attention also: "a member from one of the Committees came here to this institution one night, to check into something unknown by me, however I attempted to explain to him my eye witness report, but he refused to comply with this suggestion, nor did he advise me who to write to or anything else.

I would greatly appreciate you having one of your representatives to make a personal interview
DO NOT SEND CASH OR STAMPS

once

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - INMATES OF ATTICA;

b6
b7C

with me as promptly as your time shall allow, and to have them bring the official papers or Court order, whereby I can officially declare my information according to the legal laws and statutes of the State.

Everything I am willing to be a witness to are truths, and in all these matters I can relate honestly and sincerely the full truth and nothing but the same so help me god.

~~to you~~ Please except this letter, notarized and mailed to your office by the below signed notary public who is an officer of the Superintendent here at the Great Meadow Correctional Facility.

The officer is alleged to have placed this letter in the mailing Department who shall forward the same in the proper care of the U. S. Post office Department

Sincerely yours,

b6
b7C

Subscribed and sworn to this 7th day of
October 1971

Elaine R. Brown

RECEIVED

ELAINE R. BROWN
Notary Public, New York

OCT 22 1971

NOTARY PUBLIC, NEW YORK, CO. 19, 7-2

JOHN T. CURTIN
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - INMATES OF ATTICA;

[REDACTED]

b6
b7c

[REDACTED] stated that Judge CURTIN was taking no
action in reply to this letter.

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI and
is loaned to your agency; it and its contents are not to be
distributed outside your agency.

F B I

Date: 10/29/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, BUFFALO (44-592Sub 6) (e)

UNSUBS;
 Correction Officers,
 Attica Correctional Facility,
 Attica (Wyoming County), New York;
 UNKNOWN VICTIMS -
 Inmates of Attica;

SUMMARY PUNISHMENT
 CIVIL RIGHTS
 (OO: Buffalo)

Enclosed for the Bureau is the original and four (4) copies of a Letterhead Memorandum (LHM) setting forth interview of [redacted] a potential witness who may be able to furnish information regarding the Attica uprising.

For the information of the Bureau, [redacted] was interviewed at the Erie County Jail, Buffalo, New York, where he is now confined awaiting trial in several local cases at Buffalo, New York on charges of burglary [redacted]

[redacted] at Attica Correctional Institution during the riot at that institution. [redacted]

- 2 - Bureau (Enc. 5)
 3 - Buffalo
 (1 - [redacted])
 RFS:sjg
 (5)

ENCLOSURE
 EX-101 REC-15 44-0-20167
 6 NOV 1 1971
 1cc: AAG Civil Rights Division
 Form 8-94 (G) EJM:aa
 cc CIVIL RIGHTS UNIT
 11-1-71

Approved: _____
 Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York
October 29, 1971

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS;
Correction Officers,
Attica Correctional Facility,
Attica (Wyoming County),
New York;

UNKNOWN VICTIMS -
~~Inmates of Attica:~~

[REDACTED]
SUMMARY PUNISHMENT
CIVIL RIGHTS

b6
b7C

[REDACTED] was interviewed at Erie County Jail, Buffalo, New York on October 28, 1971 in connection with another matter. During the course of the interview, [REDACTED] advised he was in a position to furnish information to both the FBI and the New York State Police regarding the origin of the riot at the Attica Correctional Institution and events which transpired during the riot. He claims he is also in a position to furnish information regarding beatings of prisoners by law enforcement officers after they quelled the riot.

b6
b7C

[REDACTED] advised his attorney [REDACTED] indicated to him that he would recommend that he [REDACTED] furnish information to the New York State Police and the FBI; however, a final decision on this matter has not as yet been made.

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

-1*-

ENCLOSURE

44-50605-113
44-50605-113

J.D.L. Says Its Help Is Sought By a Leader of Attica Uprising

46
An officer of the militant Jewish Defense League said yesterday that Herbert X. Blyden, who emerged as a leader of rebelling inmates in both the Attica Correctional Facility last September and in the Tombs in Manhattan a year ago, had asked the league to help him and fellow inmates be "transferred" to "whatever socialist country will accept us."

The league spokesman said Blyden made his appeal in a brief letter penciled at the Bronx House of Detention, where he is awaiting trial next week in connection with the riots in the Manhattan House of Detention for Men, known as The Tombs.

The 34-year old prisoner was the rebel leader at Attica who, with his large figure draped in a poncho, delivered the inmates' 28 demands to the authorities.

The letter was made public yesterday in the press room at the Manhattan Criminal Courts Building, 100 Centre Street, by Bertram Zweibon, national vice president of the league.

Mr. Zweibon said the league fully supported the request and would contact the State Department and Governor Rockefeller in an effort to carry out the request. "I think it's a good idea," he said.

The letter said that Blyden was speaking for "all the survivors of Attica," where Blyden is serving a 15-to-20-year sentence for armed robbery.

"If at all possible," he wrote, "please try and arrange to have the Attica Liberation Faction members transferred to whatever socialist country will accept us, preferably in exchange for incarcerated people in those countries."

"I, for example," he continued, "would gladly go in exchange for Sylvia Zalmanson if you can set it up." Miss Zalmanson, 27, a Soviet Jew and one of the so-called Leningrad 9, is serving a 10-year sentence for alleged anti-Soviet activity.

Such an exchange, Mr. Zweibon said, would "be good for Russia and good for the U.S. and good for all the people involved."

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Taylor _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

NOT RECORDED

NOV 9 1971

The Washington Post _____
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times 46
The Daily World _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date NOV 5 1971

Date

NOT RECORDED

NOV 12 1971

NOV 17 1971
DEC 8 1971

F B I

Date: 11/5/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO : DIRECTOR, FBI

FROM: SAC, BUFFALO (44-592)

UNSUBS;
 CORRECTIONAL OFFICERS,
~~ATTICA CORRECTIONAL FACILITY,~~
~~ATTICA (WYOMING COUNTY), NEW YORK;~~
 UNKNOWN VICTIMS,
 INMATES OF ATTICA
 SUMMARY PUNISHMENT
 CIVIL RIGHTS

As Bureau is aware, on 10/19/71, Civil Rights Division, Department of Justice, requested a limited yet extensive investigation concerning captioned matter. Specific investigation requested dealt primarily with locating movie and still pictures taken at Attica, obtaining medical reports of inmates; autopsy reports; certain court records; all official reports submitted by corrections officers, State Policemen, National Guardsmen, and any other law enforcement officers concerning their activities at Attica; and a limited number of interviews.

Bureau designated SAC J. H. GAMBLE of the New York Office to take personal charge of this investigation at Buffalo and that it be handled as a special on a continuous and expedite basis. The initial phase of investigation was conducted promptly and an extensive report was submitted 10/27/71, with over 2,200 items requested by the Department, many of which were multi-page documents which had to be reproduced six times.

During the period 10/19-31/71, 98 Agent days and 30 clerical days were required within the Buffalo Division only to handle this expedite investigation. The estimated cost of this investigation in Buffalo alone is \$10,000.00, which does not

- 2 - Bureau (AM)
 1 - New York (PERSONAL ATTENTION, SAC J. H. GAMBLE) (AM)
 2 - Buffalo
 (1 - 66-1)

KLB:jmb

Approved: (5)

Special Agent in Charge

Sent

M

Per

BU 44-592

include supplies and extensive use of Xerox machine for required reproductions.

The above data is submitted for the Bureau's information and consideration. It is my feeling that after the Department has had an opportunity to analyze the results of the mass of information furnished to them, an additional and even more extensive request for investigation will be made. Such a request undoubtedly will include a heavy emphasis on interviews of possible victims, witnesses or subjects among inmates and members of law enforcement agencies. In such an event, it is requested that the Bureau consider assigning sufficient Agent and clerical personnel from other Divisions to promptly and expeditiously handle investigation requested, for I do not believe that this office could absorb such an extensive manpower commitment for an extended period of time.

11/11/71

Airtel

1 - Mr. Blay
1 - Mr. Callahan

TO: SAC, Buffalo (44-592)

FROM: Director, FBI

REC-38

44-50605-114

UNSUBS;
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS,
INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS

Reur airtel of 11/5/71.

Bureau is aware of the manpower demands made on Buffalo Division by the recent extensive investigation of the captioned matter. The initial request for investigation made by the Department has been fulfilled, and no additional requests have been received at this time. Should the Department request additional investigation, you may then submit your request for additional temporary personnel to the Bureau for its consideration.

RHB:cmb NOTE: Buffalo by airtel dated 11/5/71, advised of (5) the manpower drain and cost figures resulting from the recent investigation conducted into the Attica Prison riot. In anticipation of the Department's request for additional investigation, Buffalo requests the Bureau consider assigning additional personnel from other divisions when request received. Buffalo being instructed to submit request subsequent to any requests made by the Department.

MAILED 23
NOV 11 1971
FBI

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐



THE NEWS
NEW YORK'S PICTURE NEWSPAPER

FLOYD BARGER / Executive Editor

Mr. Tolson	✓
Mr. Felt	✓
Mr. Rosen	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Miller, ES	✓
Mr. Callahan	✓
Mr. Casper	✓
Mr. Conrad	✓
Mr. Dalbey	✓
Mr. Cleveland	✓
Mr. Ponder	✓
Mr. Bates	✓
Mr. Tavel	✓
Mr. Walters	✓
Mr. Soyars	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

October 26, 1971

Attica State Prison

Dear Mr. Hoover:

Being aware of your intense interest in the question of law enforcement and improvement of our penal system, I am taking the liberty of sending you these copies of ~~a~~ reprint of our recent series of articles on ~~Attica~~: Anatomy of a Tragedy.

It has met with favorable response from law enforcement officials, legislators, members of the judiciary and others in New York State.

We are in a position to forward you as many copies as you desire.

Sincerely,

Floyd Barger
Floyd Barger

Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Department of Justice
Washington, D. C.

ENCLOSURE

ENCLOSURE ATTACHED

Mailing List
10-1-71
Change Noted

UNRECORDED COPY FILED IN 44-38861-633

EXP. PROC.

NOV 28 1971

NOV 19 1971

2 copies received
Law Center held
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Mr. Jones
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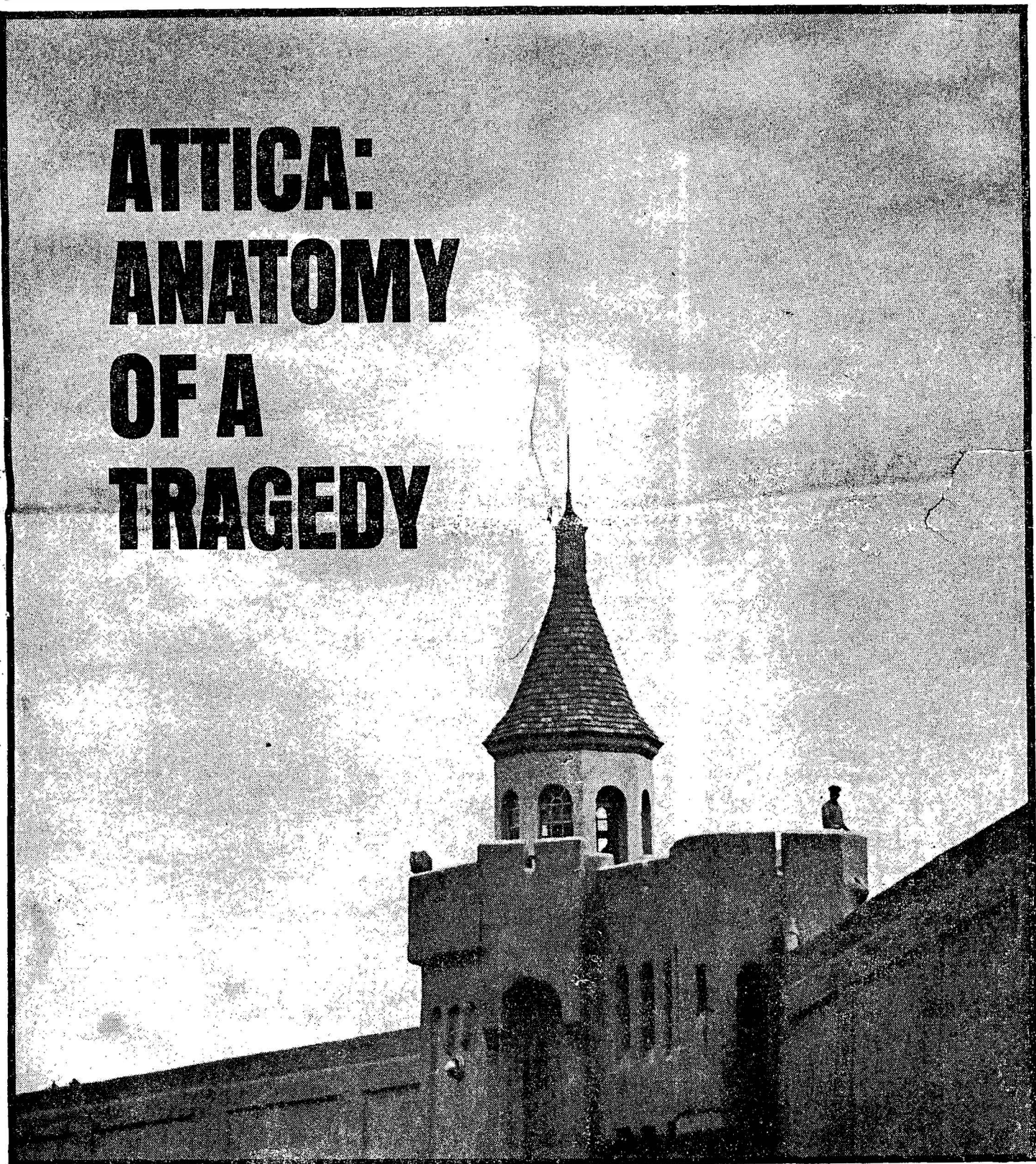




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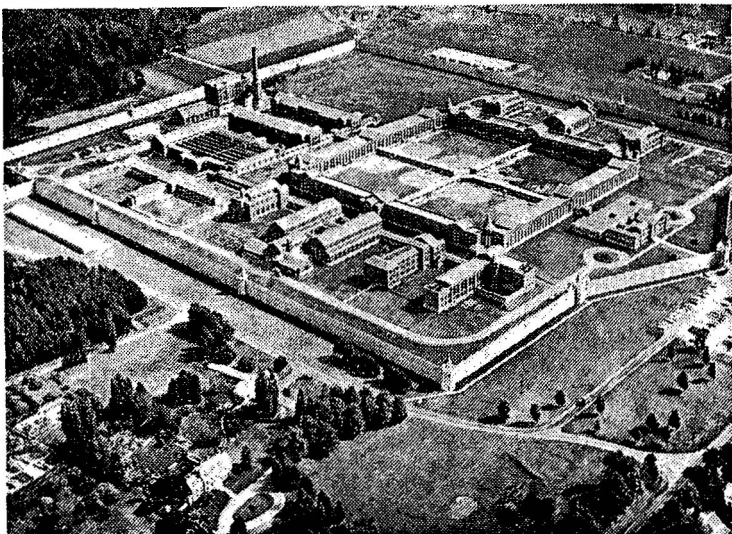
ATTICA: ANATOMY OF A TRAGEDY



A SPECIAL REPORT

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Attica State Prison

ATTICA, LIKE KENT STATE, is a name that seems destined to become part of the American language of the turbulent 1970s. Technically, it is a place—New York's Attica state prison, a few miles east of Buffalo. Symbolically, it represents that moment on Sept. 13, 1971, when the forces of law and order came in bloody conflict with the angry revolt of some of Attica's prisoners. In all, 43 hostages and inmates lost their lives.

Like Kent State, Attica also is an event that seems destined to be debated for years to come. Were the rebellious inmates, many of them Puerto Ricans and blacks, so alienated that they could not be persuaded to go back to their cells? Were prison officials and New York Gov. Nelson Rockefeller right to order armed state troopers and deputies to put down the revolt four days after it began? Should they have done it sooner, or later, or not at all?

Unfortunately, most of the events of the four-day riot at Attica—events which might now help us answer such questions—took place behind the gray prison walls, shielded from public view. Many details are still not known, and some may never be known.

But to shed as much light as possible on Attica, THE NEWS assigned a six-member task force, composed of Donald Flynn, Nat Kanter, Joseph Martin, Alex Michelini, Jean Perry and Donald Singleton, to dig into the affair. They spent days interviewing prison guards and employees, prison officials, state troopers, paroled Attica convicts who lived through the experience and many others. Their combined notes amounted to tens of thousands of words.

The whole was distilled into a five-part series, written by Singleton, that was published in THE NEWS Oct. 4-8. The entire series is reprinted in the belief that it offers the reader the most complete record yet compiled of The Tragedy of Attica.

Attica: Anatomy of a Tragedy

PART ONE

Many questions remain unanswered. Was there ever, for example, an order to open fire? Should the assault have been made sooner — or at all?

AT 9:42 A.M. on Monday, Sept. 13, New York State Corrections Commissioner Russell G. Oswald grabbed a telephone — halfway through its first ring — on his cluttered desk in the Attica state prison administration building.

Oswald had been waiting for the call; he knew it was from his deputy, Walter Dunbar, who had gone to the prison's A Block to rendezvous with the leaders of the rebelling prisoners in one last try to end the revolt.

The commissioner sat in silence in the small, second-floor office, listening intently to what Dunbar was saying. Then he lowered his head and repeated, to no one in particular, the words Dunbar had spoken:

"They just said, 'Negative, negative,' and now they've got the hostages at Times Square."

Oswald paused for just another second, and then he was speaking to Dunbar: "This is it—we can't negotiate any more. Tell Monahan it's his baby now."

Oswald's voice, according to those who heard it that drizzly, chilly morning, sounded drained and empty. The four long days of the prison rebellion, the long hours of negotiations, were over. Down in D Yard, where the 1,200 prisoners held their 38 hostages, a lot of men were about to die.

The commissioner, his salt-and-pepper hair combed neatly straight back, but his face clearly showing the stresses of the last few days, glanced over at the other telephone on his desk, the one that had an open line to Albany.

Ready for the Climax

Down in A Block, Dunbar turned and passed the message to State Police Major John W. Monahan, commander of the nearly 1,000 state troopers inside the walls of the besieged penitentiary. Monahan spoke some quick, efficient words to his communications officer, Capt. Henry F. Williams, who was assigned as tactical commander of the assault.

"All forces in position," Capt. Williams barked into his walkie-talkie, and the voice echoed, amplified many times, from a hundred walkie-talkies and patrol car radios around the prison.

At precisely 9:43, Williams ordered electric power for the whole prison shut off. There had been reports that the prisoners had electrified several gates and doorways as booby traps, and had rigged several bombs, made of an explosive mixture of peat moss and oil, which could be detonated by electricity.

"Connect the high-pressure hoses," he said a moment later and, at 9:45, he ordered the pilots of the two CH-34 helicopters to begin their runs over the yard where the inmates had made their bizarre encampment. The choppers, which had been loaded and warmed up for 15 minutes, rose and disappeared over the wall. "Zero in on targets," Williams said. "Do not take action until the drop."

A voice, not Williams', answered a few seconds later: "The drop has been made! Jackpot One has made the drop!"

The 2,000 men in and around D Block Yard—just under 1,000 troopers and just over 1,000 inmates and hostages—took a last, excited, deep breath. They had seen and heard the first of the pepper gas canisters hit the ground. They knew this was it.

Williams spoke a split second later. "Move in, move in," he said to the five waiting squads of troopers who were the first wave of the rescue and recapture mission. "The drop has been made."

A Wild Dash From the Gas

In three running columns, through three different doors, the first 100 troopers began the planned assault. Their gray helmets, olive drab gas masks and orange rain slickers giving them an other-worldly appearance.

They burst into view of D Block Yard simultaneously, and at 25 vantage points in windows and on rooftops, trooper snipers squinted through the telescopic sights of their .270-caliber rifles.

In the sprawling yard, the prisoners broke ranks, some of them running wildly to escape the stinging, choking gray fog of gas, others clutching their spears and clubs, preparing for what they thought would be only a hand-to-hand battle for possession of the yard.

Some ran toward the walls, and, coincidentally, toward the police; others ran toward the corner known as Times Square, where most of the hostages were being held, hoping that by being near the hostages, their safety would be guaranteed.

There is no single, objective record of the events of the next few minutes. Those minutes are shrouded under clouds of pepper gas, blurred by gas-mask faceplates and watering eyes, confused by hysteria and panic, lost forever by a television camera that malfunctioned at the last minute. It may never be known exactly who fired the first shot, exactly who was the first to die that day. The only objective record lies in

the statistics: 36 men died within the next hour, with three inmates and one hostage already dead and at least two more inmates to follow; 110 others were injured, 83 of them seriously enough to require surgery; it would take \$4.25 million to rebuild the wrecked prison and, still, many said it could never be brought back to normal.

But even without objective records, there are hundreds of subjective ones. The men who lived it know what happened; the record is burned forever into their memories.

Correction Officer Bob Hulshoff certainly never will forget.

He was crouched on the steel stairway leading to the roof when Williams' command came, and he practically climbed over the few men in front of him as they clanged up the last few steps and burst through the door, running out onto the rooftop.

Violence Wasn't Planned

Hulshoff, one of the two correction officers selected to accompany the first wave of troopers into the occupied area, had been watching the scene for four days through the bars. He had sat through the briefings with the troopers, when the captain told them: "I don't want this to be a bloodbath; our main objective is to get the hostages out with as little violence as possible . . . if you see somebody coming toward you, remember, he may just be trying to surrender . . . however, if he's coming at you with a weapon and he will not drop it, that's a different story . . ."

And now, incredibly, it was happening all around him. "I was running along the roof, past the troopers and all the bodies, and I could see the prisoners jumping out from behind the barricade they had built there on the roof, some of them with long clubs, others with spears, others with knives."

He could also see the macabre tableau at the other end of the roof, at Times Square, where the prisoners held knives at the hostages' throats.

But the tableau was coming apart as he ran, the battleground of the yard filled with the crackling of rifle shots from the snipers and the booming of shotgun blasts from the troopers. The bullets were taking the tableau apart and everything was falling down, down.

Hostage Ronald Kozlowski could see the people falling down, too. He had managed to slip his blindfold up a fraction of an inch, and he could see the gas moving over the yard. More important, Kozlowski could see, just below his chin, the razor-sharp knife that his "executioner" was holding at his throat.

Kozlowski, a 23-year-old clerk, expected to die in that instant. After all, the prisoners told him he was going to die, and they hadn't told him any lies in all four days that they had held him hostage there in D Yard.

About an hour before the assault, Kozlowski and about 10 other hostages had been herded into a ditch that had been saturated with gasoline. The plan was to bluff the police, to threaten to strike a match if they attacked.

"But then they decided that we couldn't be seen well enough there in the ditch, so they pushed us over to Times Square and stood us there with an executioner for each hostage," he recalled later.

His executioner had been considerate to the point of insanity—he asked Kozlowski how he felt, and when the young clerk answered in complete honesty that he felt sick, the man gave him a Tums to settle his stomach. He had to switch the knife, with which he planned to slit Kozlowski's throat, from one hand to the other to get the Tums out of his pocket.

But now it was time to die, Kozlowski knew, and he felt the sharp steel slicing through the skin and flesh of his throat. And then he felt himself falling, and hitting the ground, and when he looked around, "his executioner was dead, a bullet hole in his chest."

Jerry the Jew fell down at just about that moment, down on the ground where the gas made the grass and the mud burn like fire.

Jerry—Jerome Rosenberg on his prison record—had been lying in a trench with a group of buddies from his cellblock when the first wave of troopers charged in through a door in A Block.

He Remembers It Clearly

Jerry's eyes were blurred by the gas, but he says he can remember it all clearly, the big helicopters thumping in over the wall, sometimes to drop gas, sometimes to broadcast the surrender message: "Place your hands on top of your heads and move to the outside of B and D Blocks. Do not harm the hostages. Surrender peacefully. Sit or lie down. You will not be harmed. Repeat, you will not be harmed."

Men on both sides of him went down in that first hail of fire from the 12-gauge Ithaca pump shotguns, and Jerry himself got a nick on one knee. The first wave of troopers ran past, toward the hostages, and a

(Continued on page 4)



Families of hostages await word outside the prison walls.



Prisoners punctuate shouted demands with upraised fists during negotiations.



State troopers move in after helicopters dropped canisters of pepper gas.

By most accounts, it was all over in thirty seconds

(Continued from page 3)

second wave followed behind, ordering the prisoners to lie still in their trenches. Then he and other inmates were ordered to strip and stand against the prison wall.

Jerry was one of several men marked by the troopers with an "X" on his back. The mark, painted on with a white soap mixture, identified him as one of the ringleaders of the rebellion.

But that came later. Now the shooting was still going on, even after so many minutes — or was it seconds? Some witnesses said later that the beginning of the action sounded like a war. Others had different recollections.

"I was standing outside the yard, where there wasn't any action, but I could hear pretty well," said Correction Officer Edward Brady, who runs the prison's law library. "And the thing that surprised me was how little shooting there actually was—it sounded like bang-bong, bang, bang-bong. But certainly not like a battlefield." By most accounts, it was all over in 30 seconds.

The first wave of troopers had to leap over trenches that had been barricaded with steel tables and booby-trapped with long, pointed rods designed to impale the cops as they jumped across.

Up on the long roof, Bob Hulshoff was passing the barricade that the prisoners had built there out of tables and mattresses and pieces of chain-link fence.

"There were troopers all along the edge of the roof, and there were bodies, I kept running past bodies," he remembers. As one of the two correction officers to go in on the first wave of the assault, it was his job to point out the hostages, so the troopers did not accidentally shoot anybody who was a hostage dressed in inmate clothing.

At Times Square, Capt. Frank (Pappy) Wald was another hostage ready to die. He was standing with a small group of hostages who had been brought to the roof of Times Square, the intersection of the two long enclosed walkways that divided the huge prison courtyard into four square recreation yards.

'Times We Wanted to Cry'

Pappy, at 63, was the elder statesman of the hostages, and over the long days and nights in D Yard, much of the time blindfolded and frequently threatened with death, it was Pappy who kept the others from breaking. "There were times when we wanted to cry, we wanted to beg, to do anything to get out of there," recalled a younger hostage later. "But Pappy always talked to us and calmed us down."

But now Pappy wasn't talking. It was time to die. He could hear the shooting, and he could feel the steel blade at his throat. One of the young hostages who stood next to him had his hand on Pappy's shoulder, as if to draw strength from him.

And then, as the inmate began to press the knife into Pappy's throat, there was a suddenness when everything went limp, and they all fell down.

There was a bullet, a steel-jacketed bullet powerful enough to crack an automobile engine block, and it came from a gun with a sight so accurate that it could have hit a bullseye at 300 yards, and the bullet had passed over Pappy's shoulder, so close it had creased a finger on the young hostage's hand, and it had passed through the inmate's heart.

Most of the prisoners were down by then, dead, wounded or trying to surrender, being told by the troopers to "lie down, hands over your head, noses in the dirt."

Gary Walker, a guard who lived to appear on the Dick Cavett Show two nights later, was down, too. Walker had felt the knife at his throat, and then his executioner went limp and fell down, dead.

"I fell down and rolled over to a pile of mattresses they had there, and I pulled some of the mattresses over me, and 'ay, in behind one of them metal tables they had there," he said. "And I could hear them pellets ping-ping off the table."

Hostage Became Survivor

Walker could see the troopers coming with their gas masks and shotguns through the lingering fog of riot gas, and he waved and started to run toward them. One of the troopers shoved him back down. "Lie still, and you won't get hurt," the trooper said.

"But I'm a hostage," Walker said.

"Lie still!" the trooper commanded.

As Walker watched, an inmate sprang out and clubbed a trooper lieutenant to the ground with a long pipe. The man raised the club for a second blow and another trooper grabbed the club and knocked him to the ground. The lieutenant was struck with a shotgun pellet as he lay there; the other troopers quickly grabbed his shotgun and his pistol so the weapons would not fall into enemy hands.

Bob Hulshoff climbed down the ladder from the roof and ran over toward Times Square. He saw the hostages—it was easy enough to pick them out among

the hundreds of prisoners who were lying on the ground and lined up against the walls of B and D Blocks. The hostages all had blindfolds, either on their faces or down around their necks, and their hands were all tied in front of them.

He quickly pointed out Gary Walker, and then another man, Alvan Miller he guesses it was. Hulshoff groped for words:

"You see these guys every day with their suits and white shirts and ties and clean-shaven, and here they are, like pigs. They've been out there three or four days, they've got a growth of beard, just an old pair of coveralls. Jesus, it was hard. And then you're turning people over, the blood and everything, and all of a sudden there's seven of your buddies lying there, that you're never going to talk to anymore."

Then Came the Retaliation

Hulshoff had to walk away for a few minutes. And he didn't even notice that it was all over. The shooting had all but stopped, and hundreds of other troopers were occupying the yard.

The cruel retaliation started then, according to the men who say they were the victims.

Roger Champan, identified as one of the leaders of the rebellion, said he was in D Yard when the troopers came in, and he tried to surrender according to orders. "As I was crawling I was snatched by my collar and kicked in the throat and hit in the head by an officer," he testified in a Buffalo Federal Court last Thursday.

Sometimes, the recollections of violence came from the police themselves.

The Rev. Wayne Jagow, a 27-year-old ordained Lutheran minister who is also a Niagara County deputy sheriff, said he came in with the second wave of troops as a part of the mop-up operation.

Jagow watched as a correction officer, whose brother was one of the dead hostages, singled out a prisoner he thought was one of the ringleaders and beat him with a club. After the beating, the guard broke down in sobs.

Even Jagow himself was unable to resist the emotion he felt when he saw the carnage in D Yard. In his own words: "I raised my club intending to bring it down on the head of a Negro inmate in the trench, as hard as I could. I just caught myself with the club in midair—my God, I said to myself, what am I doing? I walked around for a few moments, and then I did land a half-force blow on the buttock of the same prisoner whose skull I had almost crushed."

Niagara County Sheriff Anthony Vilella was also in on the mop-up operation, with his tactical patrol units proudly attired in nylon jumpsuits designed to protect them from the gas that still lingered in the yard.

Cellblocks Were Dark

First, Vilella was assigned to take a squad of his men in a search through a tunnel. The cellblocks were still dark, because of a tip the police had received from one of the inmates, Walter (Tiny) Smith, whose heroic efforts were credited with saving the lives of many inmates and hostages during the rebellion. Tiny found that many of the tunnel gates had been electrically wired by Sam Melville, New York's "Mad Bomber," who was killed in the assault. Tiny got word to the authorities who turned off the electricity just before the troopers went in.

"We fired a few tear gas canisters into there, just for protection," the sheriff said. "It's probably those shots that the reporters said they heard after the initial assault."

Later, Vilella's men were helping move naked prisoners through a doorway from D Yard to A Yard, when one officer reported that he saw an inmate lunge at a trooper. "I was amazed that after all the carnage, the inmate had the nerve to do it," Vilella said. "The inmate got tapped, and down he went, and by God, that's the way it should have been, as far as I'm concerned. It was imperative that we control them."

But the line between control and retribution was not always easy to find.

A group of naked inmates came out of Block B on their own, holding up a white flag made from a sheet or pillowcase. They were shoved with shotgun butts over a railing into the yard, and shoved again through the door to B Yard, where they were made to lie down on the ground.

"All the while they were lying on the ground, the slightest move on their part was the occasion for a beating with a gun butt or a kick with a trooper's boot," said Herman Schwartz, an attorney who spoke with numerous prisoners immediately after the recapture.

Some correction officers, apparently having lost control of their emotions, hit inmates. Prison Superintendent Vincent Mancusi testified in Federal Court last Thursday that eight of his officers had to be relieved of duty that Monday because of their emotional condition. Some state troopers, it was reported, destroyed inmates' watches and dentures, throwing them



into the air and batting them with their hickory riot clubs. Inmates' glasses were ground into the dirt under troopers' boots.

Jerry Rosenberg said he was forced, with all the other prisoners, to run naked through a gantlet of guards, who beat the inmates on the backs and buttocks with sticks as they ran toward their cells.

Rosenberg, who is serving a life sentence in the murder of two Brooklyn detectives in May 1962, said he was almost to his cell when a state trooper ran up to him. "I recognize you," the trooper said. "You're the cop-killer." And according to Rosenberg, he lashed out with the butt of his shotgun, breaking three of Rosenberg's ribs.

Some correction officials said later that the movement of prisoners might have been considered to be running gantlets. They said they made the men move quickly, under very close supervision, from the yard to their cells. "Correction officers in some instances firmly prodded inmates who were lagging as they were moving back to cells," said Executive Deputy Correction Commissioner Dunbar in an official statement on Sept. 17.

The inmates were lodged three to a cell in some cases, and the cells had been stripped bare by the correction officers and state troopers. Personal possessions supposedly were saved, but many items were known to have been destroyed. Even pet goldfish were flushed down the toilet.

The testimony of several doctors substantiated that some of the prisoners bore the marks of beatings. But on the other hand it can be reported for the first time that 20 troopers in the assault also were injured, some of them suffering broken fingers and toes.

Most of the violence was over when Rabbi Daniel Kerman, one of the prison chaplains, was admitted through the gates shortly before 4 p.m.

Kerman walked up to the first guard he saw inside the prison, a man he recognized from hundreds of visits on better days, and asked him the natural question: "What happened?"

The man blurted out that he had just seen a prisoner who had been castrated, and whose sex organs had been stuffed into his mouth. The guard burst into tears and stumbled away.

Oswald Reports to the Press

The rabbi walked directly to the makeshift morgue in the prison hospital, where he found two of his congregants, convicted bomber Sam Melville, who had been shot to death in D Yard, and Barry Schwartz, a Queens man doing time for manslaughter. Schwartz had been caught by the prisoners hiding a guard, Lt. Robert Curtis, under his bunk during the rebellion. The inmates wanted to kill Schwartz but, because he was the best typist in the prison, they needed him to type their demands. Later his throat was slashed.

At just about that moment, while the rabbi was looking at the bodies of the men he had known, Oswald was standing on the lawn outside the administration building, telling a pool of reporters and photographers the results of the bloody battle.

He said seven hostages had died at the moment of attack, and two others had died on the way to hospitals. There were 28 dead convicts in the wake of the attack, and more than 150 injured convicts, hostages and law enforcement officers.

"How did the hostages die?" he was asked. Oswald made a slashing motion across his throat with a forefinger. "I understand their throats were slashed," he said.

Of course, the question of the slashed throats was quickly settled. Within 24 hours, Rochester pathologist John F. Edland reported that the nine hostages had all died of gunshot wounds, and that there had been no castration. His findings subsequently were upheld by two other noted pathologists.

But many other questions remained—and still remain—unanswered.

Was there ever, for example, an official order to the state troopers to open fire? The available evidence suggests that there was not—that the exploding gas canisters may have caused troopers to think they were being fired on by the other side. Another possibility is that the troopers opened fire when it appeared that some of the prisoners were coming toward them through the gas clouds. Still another is that the sight of the hostages with knives at their throats may have caused the troopers to think they were being killed.

The real answer may be a combination of these and other factors. In any case it appears that the troopers, whose orders had been to use force only if necessary, had been adequately briefed over a period of some hours before the assault.

The larger question, of course, is whether the assault should have been made then or at all, or whether it should have been made sooner.

Some Questions Have No Answers

It was originally hoped that the videotape of the assault, made by cameraman Roland Barnes of station WRG-TV in Buffalo, would be the most valuable single piece of evidence of what happened. But, ironically, the most important segment of the tape turned out to be of poor quality—when the prison electricity was turned off, the camera went on battery power, and the power proved insufficient to get a good image on the tape.

On the larger questions, those involving the basic decisions of whether or not to negotiate, whether or not to send armed police in more quickly to recapture the institution, whether or not to take seriously the inmates' threats to kill their hostages—to these questions there simply is no objective answer.

The answer to these questions can only lie in the consciences of the men duly elected and appointed to make such decisions. Both Commissioner Oswald and Gov. Rockefeller have said they felt they had no other choice.

"If I had the choice I would undoubtedly have to do the same thing again—regrettably," said Oswald.

"It just has to be a decision agonizingly made, and then you just have to live with it."

**State Corrections Commissioner
Russell G. Oswald surveys yard
of Cellblock D, a stronghold of
rebellious prisoners, after battle.**

Black Armbands and Silence in the Mess Hall

PART TWO

There were signs that trouble was brewing. Against the backdrop of prison life, strong new radical forces were at work at Attica.

OFFICIALS OF ATTICA state prison knew that real trouble was brewing on the morning of Aug. 22, just a few days after the killing at San Quentin of Black Panther George Jackson and just a few short weeks before the rebellion at Attica itself.

The prisoners arrived at the mess hall at the usual time that day, about quarter past seven. But there was a huge difference, as Correction Officer Sgt. Jack English recalls:

"It was the weirdest thing. They all walked in as usual, divided into two lines and walked through the serving area. But nobody picked up a tray or a spoon, and nobody took any food. They just walked through the line and went to their seats and they sat down. They looked straight ahead and nobody made a sound. You could have heard your wristwatch ticking. It was eerie.

"Then we noticed that almost all had some black on them. Some had black cloth armbands, some had black shoelaces tied around their arms, others had little pieces of black cloth or paper pinned on them.

"It scared us because a thing like that takes a lot of organization, a lot of solidarity, and we had no idea they were so well organized."

There was another incident a week later, on Aug. 30. For no apparent reason, three times the usual number of men appeared for sick call in A Block. Instead of 80 to 100 men on the sick list that day there were more than 300. Prison officials looked for trouble, but there was none—the inmates asked for aspirin or laxatives and went back to their cells. The next day the sick list was back to normal.

Oswald on the Spot

Reports of these incidents filtered to Albany and brought Correction Commissioner Russell G. Oswald hurrying to the scene in an attempt to calm the prison. His mission would fail, but perhaps the seeds of failure had already been sown.

Attica, like other prisons, was becoming more and more gripped by black radicalism—populated increasingly by men who felt they had nothing to lose. Officials were finding more and more drug use behind the bars, despite their best efforts to hold it down. On top of this were all the normal frustrations of prison life for the inmates. To understand any prison riot one needs to understand that the whole matrix of prison life—the annoyances, grievances and grinding monotony—provides a ready-made culture for breeding revolt.

At Attica the bell rings at 6:30, three long, mechanical rings that echo metallically up and down the long galleries. The sound comes rushing along the cement floor, and it seems to get the bars vibrating, so that even after the bell has stopped you can hear the ringing coming from all 42 cells and all the barred windows and all the gates on the gallery.

The bell is a hated sound, because it pulls a man out of the only hiding place he has while he is in prison: sleep. The bell says it's another day, just like all the other days. It says it's time to be up and around inside the steel cage where he spends 16 or 18 hours a day. It says that breakfast is only 40 minutes away.

Prison Menu Is Monotonous

But breakfast provides no surprise: Eight ounces of milk; a cup of coffee, served with the milk already mixed in; a pack of dry cereal; bread, three times a week with oleo; once a week, a dipper of prepared dry fruit. As usual, you have a choice to make at breakfast—you get one teaspoon of sugar, and you have to choose whether to put it in your coffee or on your cereal.

The choice made, another day in Attica state prison—not much different from any prison anywhere in the country—has officially begun.

Life inside any prison is a gray canvas, where the smallest bit of color, or relief, is seized upon and cherished.

Every tidbit of gossip becomes as valuable in a prison as a jewel might be in the outside world. Cigarettes are currency—a prisoner's monthly ration of one bag of inferior tobacco and one packet of rolling papers is quickly used up, and factory-made smokes are to inmates what 12-year-old Scotch might be to a free man. A few years ago, Pall Malls were the standard of exchange; today it is Marlboros. A pack of Marlboros in prison can buy a week's worth of

whatever swag one might want: some extra sugar, a little pepper, some rice.

There are other diversions, including many arcane methods of communication. Notes are passed in waste-baskets, crumpled cigaret packs thrown over walls, food trays. People shout messages back and forth through toilet bowls that are flushed simultaneously. Letters are raised and lowered on strings through windows and ventilation grilles.

Then, of course, there is sex.

One doesn't have to be a Freudian scholar to know that sex is an important part of life, particularly to strong young men. So, even though there are no women around in prison, there is sex. Homosexual alliances that would be considered bizarre on the outside are common in prison; there are even "marriages" between prisoners, conducted in the recreation yard so that the whole inmate population can bear witness as the two lovers pledge each other their troth.

Prison Breeds Unique Customs

All the activities that seem so strange from the outside are absolutely necessary in prison, to keep the inmates from going crazy with boredom, or bottled-up sex drives, or pent-up rage.

They are necessary because no matter what prison reforms are made, no matter how liberal the prison administration, no matter what concessions are given to prisoners, there is no way to give a prisoner the thing he wants most—his freedom.

"I don't know how you can ever make a group of happy, merry men out of a group of people who don't have their freedom," Oswald says.

Against this backdrop, and now with strong new radical forces at work, it was perhaps not so surprising when, last July 2, Oswald received an articulate document entitled "The Attica Liberation Faction Manifesto of Demands and Anti-Depression Platform," signed by five men: Frank Lott, Donald Noble, Peter Butler, Herbert X. Blyden and Carl Jones.

The document listed 27 demands, ranging from the most basic to the philosophical.

The inmates wanted better food—they called what they were getting "a gastronomical disaster." They wanted an end to censorship, they wanted to be paid the state minimum wage for their work, they wanted the right to join labor unions, they wanted better rehabilitation programs. Several of the demands dealt with racial matters, reflecting the growing importance of such religious and political groups as the Muslims and the Black Panthers.

Familiar-sounding Rhetoric

The document ended with some familiar-sounding rhetoric: "We are firm in our resolve and we demand, as human beings, the dignity and justice that is due to us by our right of birth. We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetrated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue."

The words were the same ones written by the inmates of the Tombs in Manhattan when it exploded in a riot just a year earlier. (One of the signers, Blyden, is under a 75-count indictment on charges stemming from the Tombs incident.)

Oswald wrote to the inmates, assuring them that he was trying his best to implement most of the very demands they sought, and pointing out the progress he had made in his few months in office. But, he admits now, he continued to receive indications that trouble was brewing in Attica, not only between inmates and officials, but between black and white prisoners, and even between and among the various black factions themselves.

Reporter Admitted Inside Bars

Then, on Aug. 11, Richard J. Roth, a reporter for the Buffalo Courier-Express, was admitted to the prison and allowed to interview inmates under the terms of a liberalized policy implemented a month earlier by Oswald.

Roth indicated in a three-part report on Attica that the inmates felt short-changed by Oswald, and that they were seething with anger at the conditions of their incarceration. He quoted inmate Wayne Trimmer, a 27-year-old Buffalo man serving a term of 40 years to life for a 1966 murder, as saying: "The prisoners are tired of asking and begging."

"Trimmer said that if the prisoners did not soon realize some palpable changes in their lifestyle as a

result of their petition, a rebellion of some sort could be forthcoming," Roth wrote.

Not much more than a week later came the ominous mess hall incident, followed by the heavy run on the infirmary, and Oswald's hurried trip to Attica. For three days he conferred with prison superintendent Vincent Mancusi and other officials, then held lengthy talks with spokesmen for the inmates.

Oswald planned to address all 2,400 inmates over the public address and internal radio systems, but his wife was taken ill and he had to return to Albany. Before he left, however, he tape-recorded a message which was played on Sept. 4, three times, to all the inmates.

In the message, Oswald mentioned his plans for expanding law libraries for inmates, for starting evening educational programs, for expanding work release, for recommending a law change which would allow pre-release home furloughs.

He concluded with a plea: "Many of you have voiced confidence in me and in the directions I have talked about; and I appreciate this. I am certain you realize that change can't be accomplished overnight, but I can assure you that changes will be made just as some change has already taken place in the brief period of eight months . . . I appreciate your patience, trust and confidence in what we are trying to do together."

Anger Still Festered

The guards said they had hoped that Oswald's visit would lower the level of tension within the prison. But it didn't. Inmates seemed even more sullen than they had been before. More and more prisoners refused work assignments, and sometimes there were even overt threats against guards. In reaction, guards became more security-conscious, giving the inmates even less freedom than normal. Racial epithets flew in both directions.

Then, on Wednesday, Sept. 8, there was a fight between two inmates in A Block Yard. Contrary to published reports that the incident was only a touch football game, it was a real fight and an officer went down into the yard to break it up. He found himself surrounded by blacks who would not let him touch the combatants.

Another officer in an observation tower called the guard captain and reported what was happening. Lt. Richard Maroney ran down to the yard to restore order, but as he attempted to separate the two men, one of the inmates punched him in the chest, knocking the wind out of him.

For an inmate to strike a lieutenant is roughly as serious as it might be, in the outside world, for a doorman to punch the President of the United States, or for a Catholic layman to punch the Pope. It simply isn't done.

Lt. Maroney and the officer withdrew from the yard, not wanting to cause an uglier confrontation at that time. But the lieutenant wrote up a report on the incident. That night, when the inmates were locked in their cells, two officers came to A Block and got the two men who had been fighting, Leroy Dewer and Raymond Lamorie, taking them to Housing Block Z, the punitive segregation area.

As officers took the men away, one inmate threw a glass jar that broke on an officer's face, cutting him severely. The officer ordered the inmate who had thrown the jar to be placed on "Keep-lock," or kept locked in his cell on a 24-hour basis to await disciplinary proceedings.

Tension There Rising

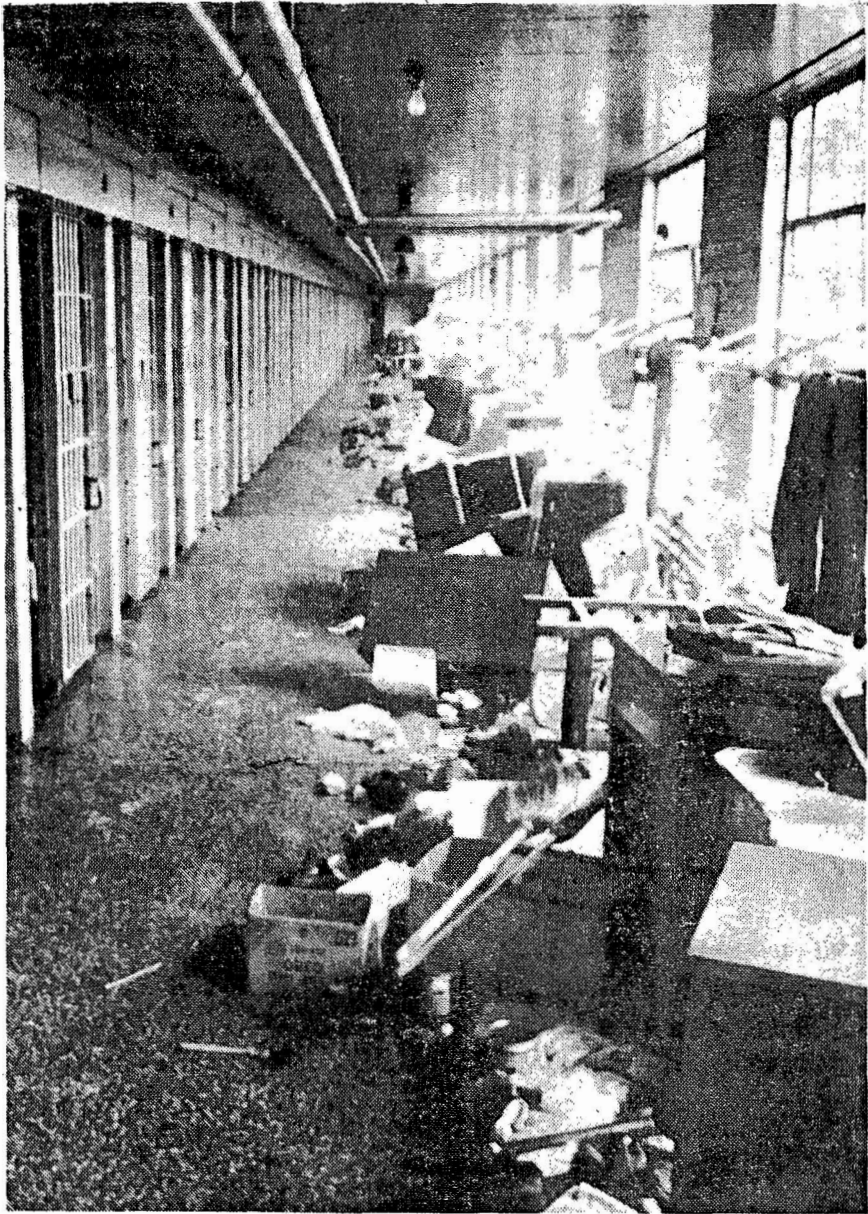
That night there was a great deal of yammering in A Block and elsewhere in the prison, as the word spread that the two men were being beaten by the officers. The prison staff sensed that tensions were reaching an explosive point.

Correction officers in Cellblock A tried to avert trouble by assuring the men that no one had been beaten. Two inmate representatives were selected and taken to view the two prisoners in Housing Block Z, where they could see that there were no marks on the men's bodies.

The two representatives were returned to Cellblock A, but their reassurances to the men did not lower the crackling currents that raced through the prison that night.

There was a lot of yelling from the dark galleries after lights out on Sept. 8.

"Get a good night's sleep, whitey," one man said. "Sleep tight, because tomorrow's the day."



A littered cellblock after the Attica riot. A fight may have been the direct cause of the disturbance, but the seeds of the trouble took root behind the bars of these cells, where the annoyances, grievances and grinding monotony of prison life provide a ready-made culture for breeding revolt.

Sept. 9: All Hell Breaks Out After Breakfast

PART THREE

'If they had waited until 10 o'clock, they'd have had everything ... Every guard in the prison would have been outnumbered 10 to one.'

THEY EXPECTED trouble at breakfast on Sept. 9, and even had an extra officer with a tear gas gun on duty in the mess hall.

But the meal was served as usual at 7:10 a.m. The 1,536 inmates filed into the huge room, split into two groups of 768 men each, had their breakfast in peace and went along to their work details.

There wasn't a ripple, and the correction officers began to relax as they prepared for the smaller "late breakfast," a second feeding at 8:10 for the 300-odd men who had to eat separately because of space limitations in the mess hall.

Then, as the inmates in the late group began to move in groups toward the mess hall, Sgt. Jack English, the prison's chief officer that day, received a call of trouble in No. 5 Company in A Block, involving the inmate in Cell 17, the man who allegedly struck an officer with a glass jar the night before.

English, whose assignment put him at the center of the prison's communications system, alerted the duty officer for Cellblock A, Lt. Robert Curtis, who hustled to the area. Curtis had read a report on the previous night's disturbance, and knew that the inmate in Cell 17 was in "keep-lock," or confined to his cell. English had told him that the men in No. 5 Company were refusing to go to breakfast unless their cellmate was allowed to go with them.

By the time Curtis arrived at the area, the men were lined up and ready to go—including the man from Cell 17.

Did Prisoner Throw Switch?

Later, several officers speculated that one of the other inmates had reached through the bars of the lock room and operated the knife switch which opened the door of the man's cell.

Curtis sensed that the men were in an ugly mood, so rather than risk causing an incident, the lieutenant backed away and allowed the company to proceed to breakfast. He telephoned English, who alerted Prison Superintendent Vincent Mancusi. It was decided that the man from Cell 17, who has not been identified, would be separated from the rest of the company and returned to his cell after breakfast.

At 8:50, No. 5 Company left the mess hall under the supervision of a correction officer, and headed back toward A Block.

At 8:55, Sgt. English got a call from the hall keeper that there was trouble and he needed help in A Block.

"It's a rare thing when an officer hollers for help like that," English said, "so I called all available sources, the cellblocks and the shops, and asked them to send help to A Block."

"I called Cellblocks C, B and D to tell them to get their men locked in, but there was no answer in either D or B. In C, Capt. (Frank [Pappy]) Wald answered, and I told him to button up C."

"Then I got a call from Officer (Joe) Conway on 6 Post on the wall, and he said Don Head and Roger Dawson had both been knocked down in the coal yard, behind B Block by the commissary—he said inmates had hit them with pipes. Conway put the rifle on them and yelled at them to stop, and they ran toward D Block."

All Hell Broke Loose

When English heard that, he made two fast calls, one to the hospital, where he instructed the officers on duty to "Get the female employees out—fast," and one to the prison powerhouse, where he told the men on duty to sound the alarm. A series of fluctuating blasts on the sirens sounded at a few minutes after 9. And then all hell broke loose, all over the prison. This is how it happened, according to several guards.

Officer John Drier was trapped in the prison tailor shop. An inmate had warned him that big trouble was brewing that morning, and when Drier heard the ruckus, he had locked himself in. But the inmates had set the tailor shop on fire, and he was now in danger of asphyxiation.

In C Block, Capt. Wald, Sgt. Gerald Reger and Officer Richard Delaney had locked themselves in an office, but inmates with a welding cart from the metal shop were cutting the lock out of the steel office door. The guards were taken hostage.

The early capture of the metal shop was a strate-

gic coup for the rioters, for it gave them the materials and machinery to begin fashioning more knives and spears. It was here that Herbert X. Blyden, a tough, convicted robber who was to become one of the principal leaders of the inmates in the ensuing negotiations, first came to the fore.

Over at E Block, a separate building where old and infirm inmates are housed, a group of prisoners were literally breaking down one of the huge, thick steel prison gates. "It was the most unbelievable, frightening thing I've ever seen," said one guard who was there. "They ripped off a couple of those long cast iron steam radiators from inside the tunnel, and they used them as battering rams, with 15 or 20 men on each one. They just kept beating until the gate caved in."

Another group of prisoners was storming Mess Hall Gate A, in an apparent attempt to gain access to the prison hospital, but the extra guard who had been posted there fired several canisters of tear gas and the inmates turned back toward Times Square, the intersection of the two long tunnels which divide the huge prison courtyard into four square recreation yards.

Many Versions of Incident

The gate officer at Times Square was Billy Quinn, a thin-faced, clean-cut man who looked much younger than his 28 years. Quinn saw two groups of inmates rampaging through the tunnels, heading his way from two different directions.

There are many versions of what happened next, but several correction officers say that based on conversations with inmates who claim to have been there, Quinn attempted to escape from the prisoners by locking all of his gates and running up a steep steel stairway leading to a trapdoor entrance to the central observation post above Times Square. The inmates burst through the gate, either breaking it down or opening it with a key taken from another correction officer, and chased Quinn to the roof, where they beat him severely and threw him head-first down the steep staircase.

Quinn, his skull fractured in two places and his body bruised and twisted, was turned over to prison authorities later that day by another man who was to emerge as an inmate leader, Richard Clark. But despite treatment in Rochester General Hospital, Quinn died two days later.

In any event, no one seems to believe that Quinn was singled out for an especially vicious beating. "That was a terribly emotional moment," said Correction Officer Edward Brady, "and the inmates were just running around looking for anybody in a blue uniform. Billy just happened to be there at the time, that's all—actually, most of the inmates liked him a great deal."

Armloads of Weapons

By the time of Quinn's beating, the prisoners had set fire to the chapel, the school and several other buildings in the Attica compound, and had managed to take control of most of the rest of the institution, including A, B, C, D and E Blocks and all the yards.

"It was obvious that they had this thing planned—why, those prisoners in A Block had armloads of weapons when they started up that day," said one guard.

There is one theory which holds that the inmates actually planned their attack for 10 o'clock, when everybody would be at his work detail, but that the time was moved up when Lt. Curtis found the A Block prisoner loose. "If they had waited until 10 o'clock, they'd have had everything, including the women," said Brady. "At 10 o'clock, every guard in the prison would have been outnumbered at least 10 to one. We wouldn't have had a chance."

By about 9:30, with clouds of smoke rising from the prison, scores of off-duty guards began to arrive in response to the alarm. They joined the ranks of correction officers preparing to move back into the captured turf. Armed with riot guns and tear gas, they retook first E Block, then C, then A. In each building they found a few prisoners who had locked or hidden themselves in their cells and had refused to participate in the uprising.

Using a utility truck, guards threw a chain to Officer John Drier, who was trapped in the burning tailor shop, and yanked out a window so he could jump clear of the flames.

At this point some 1,200 rioting prisoners were re-



treating and consolidating their ranks in B and D Blocks and D recreation yard. They had with them 38 hostages.

Officers in the attack force said they are convinced they could have retaken B and D Blocks too, and put down the riot, but were afraid to use their guns and tear gas because of the hostages.

Many of the hostages were beaten savagely in the first hours of the rebellion, it was reported later. Some of the rioters, in frenzies of emotion, took vengeance against the guards they hated most.

Correction Officer Philip "Curley" Watkins said he was just reporting to his post at 9 o'clock when a group of inmates ran up to him. One man hit him over the head with a broomstick; another yelled "Look out!" to warn Watkins that a third inmate was swinging a shovel at his head. Watkins managed to catch the blow on his arm, breaking the arm, but undoubtedly saving his life.

Another hostage, 26-year-old Correction Officer Lynn Johnson, said he and his fellow officers were beaten at the time of their capture in the prison's sheet metal shop.

More Mistreatment for Hostages

All of the captives were stripped, blindfolded and herded into D Yard, where a few more beatings were administered.

But Watkins, Johnson and several other guards were quick to point out that any violent maltreatment of the hostages was promptly halted by a large number of Black Muslim prisoners, who took it upon themselves to act as the hostages' protectors.

All during those next days in D Yard, the Muslims stood in formation around the group of hostages in an inner compound formed of upended tables and empty trash cans. The Muslims, led by "Brother Richard" Clark, guarded the hostages against injury and made sure they were comfortable.

"The Black Panthers were ready to kill us right from the beginning," said hostage Johnson, "but the Muslims never failed to protect us."

All during the four days of their captivity, the hostages were generally more comfortable than their captors. "We didn't have much to eat the first day,

but then neither did they," said guard Gary Walker, who had been captured in the metal shop. "But they had lots of hot coffee all the time."

Although the hostages were permitted to remove their blindfolds at 6 p.m. and were given mattresses to sleep on, nobody slept the first night. One guard explained why: "There were all these strange noises, and guys kept coming around and saying 'Let's kill the pigs right now,' and we could hear the grinding wheels going, sharpening knives and spear points."

Captives Shared Cons' Stew

On Friday, Walker said, the hostages were given crackers with their coffee, and on Saturday there were sandwiches—"I had two cheese sandwiches and a ham sandwich given to me, but I don't think I ate a single mouthful," he said. "But by Sunday we started getting really hungry. I noticed them cooking something with noodles in it, in a big pot over a fire, and I figured they were going to have a feast for themselves. But pretty soon one of them comes over to us and gives us big bowls of goulash. Not all the prisoners had a hot meal that day, but we did."

The worst part of the hours spent in captivity, all the hostages agreed, was being blindfolded. Living in constant fear, without being able to see, proved to be psychologically disastrous.

This problem was solved by everybody's angel, Walter "Tiny" Smith, the inmate medic who is credited with saving many lives of both hostages and inmates. "Tiny told them that leaving the blindfolds might make us blind, so we'd be no good as hostages," said Johnson, "so they let us take them off. What a relief that was."

Once they were able to see, the hostages found themselves in the middle of a recreation yard, which had been turned into a combination fortress, tent city, negotiation area and council chamber.

For the next four days the sweating, crowded confines of D Yard became the place where the rebellious inmates sought to establish their territorial imperative—setting up their own government, pressing their demands, stubbornly refusing to yield up their hostages. It was like another country, with D Yard as its capital.

With singular ferocity, about 1,200 Attica cons rampaged through the prison, establishing their territorial imperative—setting up their own government, pressing their demands, stubbornly refusing to yield up their hostages. It was like another country. Many observers believe that the revolt had been planned well in advance.

D Yard: Eerie, Tense, Then Bloodshed

PART FOUR

Oswald had granted some of the demands. But the prisoners really wanted amnesty, and the observers knew he couldn't give that.

D YARD. A strange land with a strange culture: a population of 1,200 people; not one of them a woman; more than 80% of them either black or Puerto Rican; many with histories of violence; most of them the products of poverty subcultures within the richest nation on earth; all of them convicted of crimes against, as it says on the official papers, "The People of the State of New York."

Geographically, the D Yard Nation consists of a 100-yard-square patch of dirt and two buildings designed like kennels, real estate which you couldn't sell on the open market, but which would cost you about \$3 million to replace.

Psychologically D Yard is euphoric, its citizens flushed with the heady wine of independence and freedom. Free at last, free at last. . . .

But too quickly the limits of liberty become apparent. There are no guards, to regulate movements minute by minute, but there are still walls, gun towers and police. There is no book of rules, but the alternative is anarchy, and anarchy is unacceptable.

The inmates form a hastily thrown-together governing body, in which the men of each cellblock elect their own representatives. The governing council rules partly with the consent of the governed, partly through brute strength, partly through glibness and oratorical prowess.

Organizing the Essentials

That first afternoon after the inmates had seized Attica's D yard, they set about taking care of basic items: a security system for the protection of the hostages, a mess gang to prepare food and hot coffee, a sick bay.

Then the members of the governing council gathered around a group of battered steel tables up against the D Block wall and got to work on the list of demands they would present to Correction Commissioner Russell G. Oswald, who had arrived at the prison at 2 p.m. in a governmental plane from Albany.

Shortly after Oswald got there, Prof. Herman Schwartz and Assemblyman Arthur O. Eve of Buffalo arrived and offered to help. Schwartz, head of the American Civil Liberties Union's Prisoner Rights Project, and Eve, a frequent fighter for prison reform, said they would speak with the rebelling inmates.

The two men were given permission to try, and they did go into the yard to meet with the inmates. But they returned shortly, saying the prisoners were demanding to meet directly with Oswald.

The commissioner knew that traditional penologists say the first rule in such situations is not to negotiate while rioters are holding hostages. But he hoped that his reputation as a fair and progressive man would enable him to convince the inmates to give up the hostages and return to their cells.

Oswald went in and listened to the inmate leaders, telling them that he agreed that many of their grievances were valid. He made no headway, however, and left that first session with pessimism showing on his face.

No-reprisal Pledge Sought

There was another session that first day, and it was then that the inmates asked for the appointment of a committee of observers they could trust to oversee the negotiations. They also asked for a guarantee that there would be no reprisals for the uprising.

Oswald left the meeting badly shaken, and shortly later the telephone calls began going out to the people who were to form the observers' committee, most of them chosen by the inmates themselves: Rep. Herman Badillo and State Sen. Robert Garcia, both Bronx Democrats and Puerto Ricans; New York Times columnist Tom Wicker; black Detroit journalist Jim Ingram; radical lawyer William Kunstler; State Sen. John R. Dunne (R-Nassau); Black Panther Party Chairman Bobby Seale; Clarence Jones, publisher of the New York Amsterdam News; Julian Tepper of the National Legal Aid and Defenders Association, and others.

Thursday night the inmates set up their bizarre tent city in D Yard. Even though there were bunks in the cells in the buildings they occupied, most of them chose to sleep outside on the ground, under the stars, taking the maximum advantage of their newly won—if limited—freedom.

The prisoners went to great lengths to express their freedom in their dress and living accommodations. Some built shacks out of wooden doors torn from the interior of the prison, others made togas

out of blankets and sheets. Many wore African-style headdress, and some used football helmets as "official" guard's armor.

Friday the members of the observers committee began to arrive, and by afternoon most of them were at the prison. That evening, one of the largest of the negotiation sessions was held under the glare of television lights in D Yard. It became apparent that the prisoners were prepared to hold out for amnesty from criminal prosecution for charges arising out of the rebellion.

One Demand Wasn't Serious

"We had a list of 30 to 35 demands at the end of that meeting," says Lewis M. Steel, a 33-year-old civil rights lawyer who was selected as one of the observers.

Steel says it was clear to him and some of the others at that meeting that one item which later became a major bugaboo—free transportation to a "non-imperialistic nation"—was not a demand to be taken seriously. "A lot of the prisoners spoke out against that," Steel said.

The Friday night session lasted until 4 p.m. Saturday, as inmate after inmate unburdened himself of his grievances in long, emotional harangues which evoked a great deal of applause and chorus after chorus of "Right on!"

Among those who spoke frequently was prisoner Flip Crowley, a thin black man who was quoted as saying, "We do not want to rule, we only want to live . . . but if any of you gentlemen own dogs, you're treating them better than we're treated here." Muslim leaders Herbert X. Blyden and Richard Clark also spoke frequently that night, acting as informal chairmen of the meeting.

Assemblyman Eve recalls that the young black inmate whose code name was "L.D.," but who was later identified as Elliott Barclay, was one who tried continually to whip up support for the demand that prisoners be given the option of being transported to a "non-imperialistic" nation. Eve later said he saw Barclay alive a few hours after the police recapture of Attica prison on Monday, Sept. 13; but Barclay turned up on the list of dead inmates.

Saturday morning three of the observers had breakfast with Wyoming County District Attorney Louis James. At the session, the three, Wicker, Jones and Tepper, got James to agree that there would be no "indiscriminate mass prosecutions" of inmates on charges arising from the riot.

Prisoners Were Tense

The committee members were delighted, and hoped the statement, signed by James, might satisfy the prisoners' demand for amnesty.

While the three observers were talking to James, there was another session going on in the prison's Administration Building, between Oswald and several of the observers. The observers were trying to get Oswald to agree to a wording of the demands that would be acceptable to him.

"Oswald was pressing us at that time, and we could see the troops coming up," said Steel. "It was already very clear that Oswald and Warden Vincent R. Mancusi viewed us as outside interlopers who were interfering with their plans to recapture the prison."

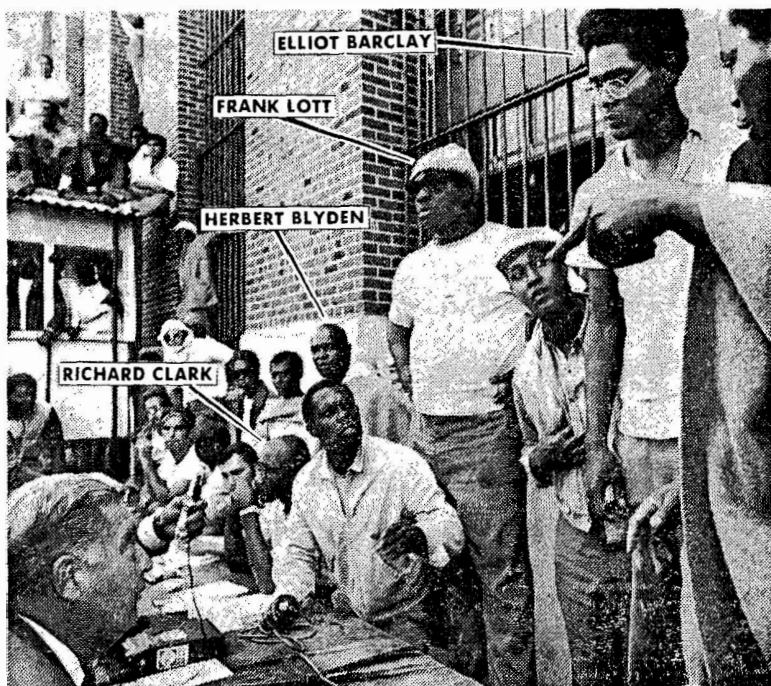
Finally, by 6 p.m., the list of demands was written in language that pleased the observers. At that point Bobby Seale arrived. He looked at the demands, but said he could not evaluate them on the spot. Instead, he went into D Yard and addressed the prisoners briefly, then left to confer with other Black Panther leaders, saying he would return.

"Kunstler left to get Seale out," Steel said. "Some of the other observers left then, too. When Kunstler got back it was getting late, it was after dark."

"The prisoners weren't that interested in Seale, anyway. They wanted to see the demands that had been granted by Oswald and they wanted to talk about them. The prisoners were tense and we knew the demands granted weren't enough to satisfy them, not nearly enough."

Oswald had granted some of the inmates' demands, such as the one calling for establishment of a permanent ombudsman service, permitting prisoners to be "politically active" and to have "true religious freedom." But what the prisoners really wanted was amnesty, and the observers knew Oswald couldn't give that.

The roles played by Seale and Kunstler have come under a great deal of scrutiny. There seems to be no question that Seale did not have much of an effect on the negotiations. Kunstler's role is assessed differently by different people.



At height of disturbance, Corrections Commissioner Oswald met with rebel inmates.

The leaders of the Attica rebellion

ELLIOT BARCLAY: known as L. D., Barclay was sent up as a check forger ... paroled, he was sent back to Attica as a parole violator for driving car without a license ... considered Panther advocate, allegedly was killed in riot, but Buffalo Assemblyman Arthur Eve says he saw Barclay alive after order was restored, implying he was deliberately killed later.

served three years in Navy ... became drug user in 1969, was arrested in two robberies within four months and sentenced to four years ... became Black Muslim in Auburn Prison and was transferred to Attica for urging inmates to overthrow the institution. Considered top Muslim at Attica ... known to Muslims as "Brother Richard."

HERBERT X. BLYDEN: Blyden, 34, Virgin Islands native, came to New York City at 16 and at 20 got five years in Elmira State Reformatory for gas station robbery ... four years after release got 15-20 years on armed robbery conviction ... faces 78 counts of kidnapping and assault as a leader of Tombs Jail riot in October, 1970 ... one of Muslim leaders who helped protect Attica hostages.

CHARLES H. (FLIP) CROWLEY: Crowley, 41, one-time Queens narcotics addict ... serving 15 years for robbery ... paroled once, was sent back in 1969 for possessing a weapon ... heard on TV yelling "Power, power, power! If we can't live together, we got to die together!"

FRANK LOTT: 40, of New York, an original signer of the Manifesto of Demands who talked Panther line at negotiations ... doing 50 years to life for murder ... met with State Corrections Commis-

RICHARD CLARK: Clark, 25, grew up in foster home in Jamaica, Queens,



Jerome Rosenberg

sioner Oswald Sept. 3 to discuss inmates' demands ... wanted Warden Vincent Mancusi fired.

JERRY ROSENBERG: Rosenberg, called "Jerry the Jew," 34, sentenced to electric chair in the murder of Brooklyn detectives Luke Fallon and John Finnegan in 1962 ... sentence commuted to life term ... got correspondence school law degree and was jail-house lawyer for rebels.

Steel emphasizes that never to his knowledge did either Kunstler or Seale ever recommend to the inmates that they hold out for any demand.

On the other hand, Kunstler has been quoted as telling the inmates at one emotional point, when several of the observers thought their lives were in serious jeopardy: "There are four Third World and African country people across the street from this prison prepared to provide asylum for everybody who wants to leave."

Correction Officer Dies

There were in fact no people prepared to offer anyone such asylum, and it is this statement that some people have suggested led the inmates to remain intransigent rather than accept Oswald's final offers.

Steel said the prisoners' Central Committee told the observers that they had not done well enough for them, and sent them back to try again.

But even as the observers left the long, makeshift negotiating table, where the observers sat on benches and the inmates sat on the hard ground, listening intently, they know their job had been made difficult to the point of impossibility by a factor out of their control — Correction Officer William Quinn had died in Rochester General Hospital that afternoon of injuries received in the prison's riot. Thus there was the strong possibility of a murder charge, and thus amnesty became out of the question.

Oswald's patience snapped when he heard that the inmates were dissatisfied with his offers. "I gave them everything they wanted, and they don't give me anything," Steel quoted him as saying. "Tell me one thing they gave me!"

Meanwhile, if things were becoming grim in the Administration Building, where Oswald, the state police and the observers all had their headquarters, things were also grim back in D Yard. The hostages' nerves were fraying as they watched the impasses in negotiations developing. Several of them taped television statements urging Rockefeller to come to Attica.

There were other problems in the yard too. The D Yard Nation was having internal problems. Some prisoners who were found guilty of violating the unwritten laws of the new society reportedly were executed—indeed, three white inmates were found to have been killed by the slashing of their throats a day or two before the police recapture of the prison.

Others who were found guilty of rule infractions were put to work digging the crude, shallow trenches that the prisoners hoped would be their primary line of defense.

Had Own System

"They had their own prison system there in the yard," said Correction Officer Edward Brady later, "and it was a lot more repressive and brutal than the one they were complaining about."

On Sunday, the observers conferred briefly with Robert Douglass, Gov. Rockefeller's secretary, who was at the scene; then Tom Wicker called Rockefeller directly at his Pocantico Hills estate. Wicker, Herman Badillo, Clarence Jones and State Sen. Dunne all beseeched Rockefeller to come to the prison, stressing the need for more time and telling him they believed his personal presence might help convince the prisoners that the governor gave the problem top priority. Rockefeller reportedly did not give them an answer, but said he would telephone Douglass.

By that time, the tension was so great in the yard that observers had to be surrounded by a human chain of Black Muslim guards. Wicker wrote later that Muslim leader Clark said it was only his word that was keeping the observers alive.

The next morning, Oswald went down to D Block and handed, through the bars, a message to the inmates: "I am anxious to achieve a peaceful resolution of the situation which now prevails here," he said in the note, which was given to inmate leader Richard Clark. "I urgently request you to seriously reconsider my earlier appeal that: 1. All hostages be released immediately unharmed; and 2. You join with me in restoring order to the facility."

As he handed the note over, Oswald said. "Mr. Clark, I earnestly implore you to give the contents of this memo the most careful consideration. I want to continue negotiations."

But the final word was shouted down a long prison corridor at 9:42 a.m.

"Negative!" an inmate shouted to Deputy Correction Commissioner Walter Dunbar, and the word echoed in a thousand steel bars. "Negative." Not many minutes later the turf of D Yard was drenched in blood.

Horror Haunts the Lives Of Those Who Survived

PART FIVE

There is plenty of visual evidence of what happened. But there are marks that cannot be seen — bitterness, hatred, fear.

A PRISON RIOT like the one at Attica is a shattering event for those who live through it. The prisoners, the guards, the townspeople of Attica will be a long time erasing the riot from their memory. And for the 30 hostages who lived through those four days in D Yard, their memories may last forever.

Of the hostages who survived the Attica riot, which began almost exactly a month ago today, only one has been willing to return to work; and officials have permitted him to come back only on a limited basis. The rest, whether they are guards or civilian employees, sit in their homes and in hospitals, reliving the horrible moments when they thought they certainly would die.

"Every day you get up, and you say, well, I feel a little better today, maybe I'll try going back tomorrow," says Gary Walker, one of the surviving guard hostages. "But then you read something, or hear something, and it brings all the feelings back again, and you know you're going to have to wait a while more."

There is little reason to believe that Walker will solve his problem quickly; many, if not most, of the guards who were taken hostage during a one-day riot in Auburn Prison on Nov. 4, 1970, have not been able to go back to work. They are still sidelined, many of them under doctor's care.

Other Attica correction officers, those not taken hostage, were shaken by the incident, too. "My wife and I sat the other night and talked about how maybe I should quit," said one man with 15 years of service. "But I figured I'll stick it out for at least a while and see what happens."

A Special Sorrow

The tragedy of the hostages was peculiarly a tragedy of the Village of Attica. Most of the 10 hostages who were killed came from Attica—indeed, of the total of 40 correction officers and civilians who were taken hostages, 27 were from Attica. There was hardly a person among the village's 2,875 souls who did not know, or was not related to, at least one of the hostages.

The destinies of the people of the Village of Attica and the people in Attica prison were and are and will continue to be inseparable.

Since the tragedy of Sept. 9 through 13, 1971, neither Attica the Village nor Attica the Prison will ever be quite the same.

The most dramatic changes, of course, are apparent inside the 30-foot tall, gray-painted concrete walls of the 55-acre prison complex. A lot happened in those tall, brick cellblocks, in the tunnels and in the wide recreation yards.

And there is still plenty of visual evidence of the inmates' takeover and the police recapture of the facility, marks so fresh that they cannot be called scars—the more accurate word is wounds.

There are steel gates that were twisted and bent and welded shut by the inmates. There are holes through the thick cement handball backboard in D Yard, holes made by the steel-jacketed .270-caliber bullets fired by State Police snipers. The yard itself still bears the scars of the occupation and recapture—the trench dug as a defensive device is still there, and so are the many holes dug by National Guardsmen who searched the ground with metal detectors in a hunt for hidden weapons.

Both Sides Suffered

But there are marks that cannot be seen by the naked eye, too. There are bitterness and hatred and fear, in both inmates and guards alike, for each group lost heavily on the morning of Bloody Monday, Sept. 13.

There is a smoldering resentment, too, among the inmates who were not involved in the riot, but whose cells were stripped bare of all personal possessions following the rebellion. Prison officials say they were forced to empty the cells before they put the recaptured prisoners into them; but such an explanation does not carry a great deal of weight with the man who sacrificed the few meager possessions he could call his own: pictures of his wife and children, law books, legal correspondence, toilet articles like deodorant and soap and after-shave lotion.

While it is difficult to see positive aspects in the grim wreckage of Attica prison, there are a few bright spots. Transfers reduced the inmate population to about 1,200, half of what it was before the trouble.

Then there is the fact that the men, who lived together in D Yard for those four long days seem to have learned a lot about each other. Most of the hostages had an opportunity to gain new insights into the makeup of the prisoners. Virtually all of the freed hostages have told stories of the many acts of charity bestowed upon them by the prisoners.

The riot also gave the inmates, most of them black or Puerto Rican, a rare opportunity to see the basic humanity of the white correction officers who were, and now again are, their keepers.

When Sgt. Edward Cunningham went before the television cameras in D Yard that Saturday night and pleaded for Gov. Rockefeller to come to Attica and save his life, it was obvious that Cunningham was just as afraid of death as his captors.

And when he was killed in the hail of police bullets on Bloody Monday, Cunningham was just as dead as any of the dead inmates, black or white.

The whole issue of prison racism was put under a garish spotlight at Attica, revealing it in all its ugliness. Some correction officers, it was said, referred to their batons as "nigger sticks." And it worked the other way, too—it was not uncommon for some black inmates to openly call the guards "pigs" and "white fools."

But it must be pointed out that it probably was a minority of both groups who were ever involved in such overt racism. The guards concede that most black and Puerto Rican inmates have good attitudes, considering the fact that they are incarcerated.

Deny Racist Charge

The citizens of Attica deny vehemently that most of their townspeople are racists. And in truth the townsfolk don't seem any more racist than any other white, middleclass, rural people anywhere in America. The people of Attica have few if any positive contacts with blacks—indeed, the only blacks for miles around are the hundreds of convicted felons in residence in the prison; not a very positive influence.

"These are just plain, normal people in a typical rural American town," says the Rev. Charles Williman, pastor of St. Paul's United Church of Christ at 15 Washington St. in Attica. "They aren't people who hate minority groups. They're just people who live far away from the kinds of problems that are affecting the cities, and they haven't got a perspective on problems like race and welfare and things like that."

Mayor Miller says that the people of Attica are not racist, but what he calls "ordinary, hard-working, honest citizens."

When Miller speaks of hard work, he knows what he's talking about. In addition to his 8-hour-a-day job as a prison guard, he drives a school bus and runs a part-time oil burner repair and installation business with his neighbor and deputy mayor, Angelo Corcimiglia, who works fulltime as a pipe-fitter in a near-Sylvania plant.

Some 'Bad People'

Most of the Attica men who work in the prison resented the press coverage of the Attica incident. "They feel that all the reporters did their best to make the correction officers look bad and the prisoners look good," said one guard.

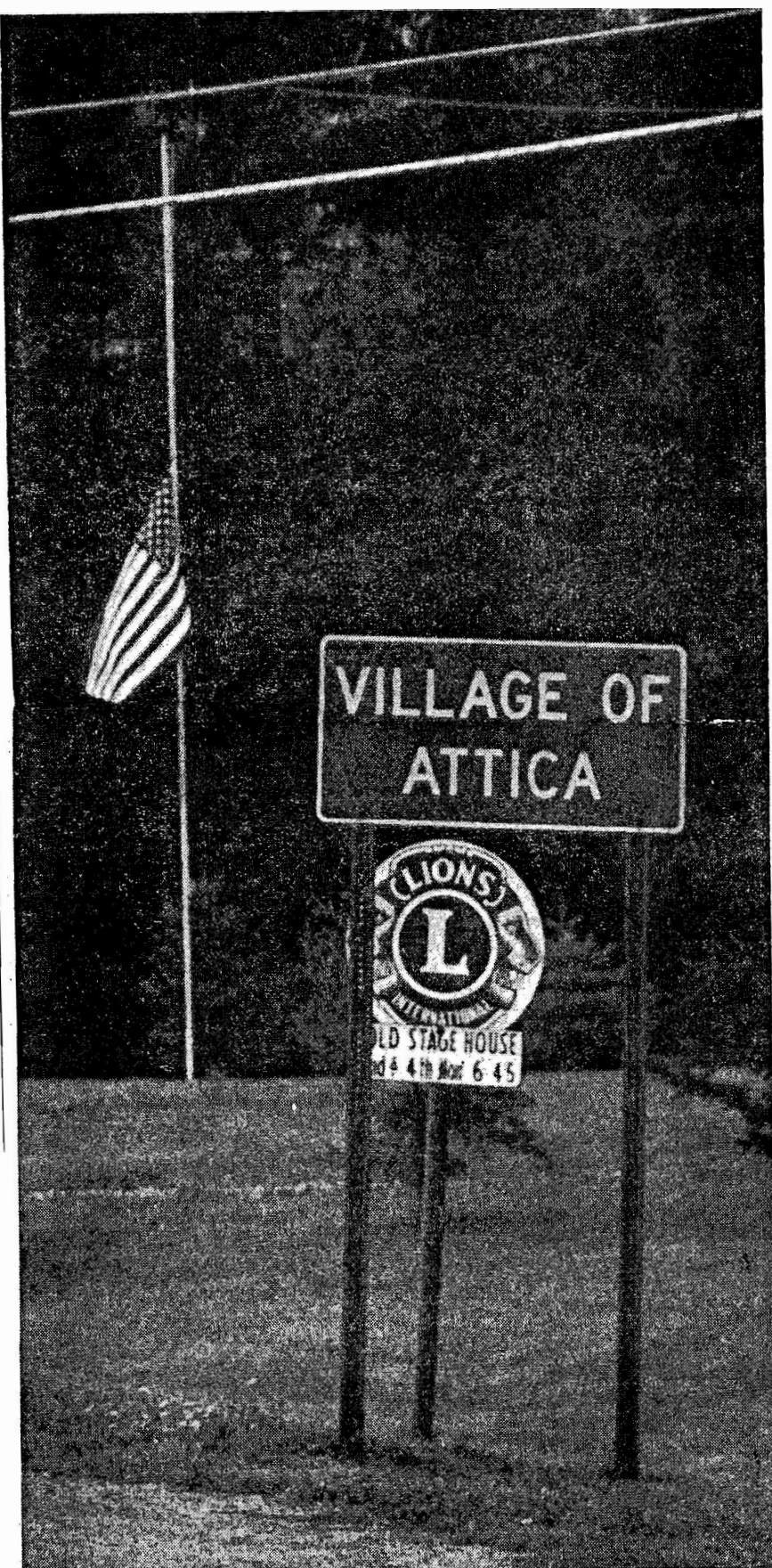
"People don't take into account that some of the men in that prison really are bad men," he said. "The way things are nowadays, people don't get sent to prison right away. To be sent to prison these days you have to be bad, and some of these men are bad. Bad people."

Correction Officer Edward Brady agrees: "Some of the men in the institution were definitely out to cause trouble. These guys, they've got such big bits (sentences), they're never going to get out. The only way they're ever going to be released is by escaping. They wanted to get out, and they were ready to die to do it."

Virtually all of the officers interviewed at Attica blamed the rebellion on inmates they called "hard core" prisoners; a definition that usually included members of the Black Panthers, Young Lords and others who claim they are "political prisoners."

The guards are bitter about the fact that many of these inmates had been moved to Attica after causing trouble in other prisons. They had been put in punitive segregation cells at Attica, but had won through court actions the right to be moved into the general prison population.

The sentiments of the 383 Attica guards obviously were shared by most of the other correction officers



in the state system. All of them backed a proposal—approved this week by Correction Commissioner Russell G. Oswald—to segregate the “hard core” inmates in the system in a separate new institution or a separate part of an existing institution where they can be contained under “maximum-maximum” security conditions.

The guards view such a move as the most important prison reform to come out of the Attica experience.

Need Separate Institution

“We have to have a separate institution for these guys,” says one lieutenant at Attica. “You can’t leave them in the general prison population and let them ruin what few good rehabilitation programs you’ve got.”

Many experts feel that, on balance, the Attica incident will have more positive results than negative ones. There are a half-dozen separate investigations, all of which will have the effect of keeping the prison problem in the public spotlight for an extended period of time. Many legislators have indicated a willingness to increase the appropriations for correctional services in the next session. Gov. Rockefeller himself has said he will push hard for reform of the criminal justice system at that time.

“They’re going to get reforms out of this that would have taken them 15 years otherwise,” says Kenneth Jackson, a staff member of the Fortune Society, an organization of ex-convicts working for penal reform.

But of all the effects of the Attica uprising, short-range and long-range, perhaps the most important effect is the one that the violent rebellion, with all its disappointments and pain and loss of life, has had on Commissioner Oswald, whose job it is to put the pieces of the prison system back together, and to set the system’s direction for the future.

Russell Oswald went through a lot of changes at Attica. Known far and wide in correctional circles as a fair, honest, sensitive man, Oswald was subjected at Attica to pressures that were almost unbelievable; pressures that would have bent and broken the values and spirits of most men.

A Tough Stand

At the height of the riot, those who know Oswald detected a new, hard note in his television statements about the negotiations. He was talking tough, bitterness clear in his voice. At several points when he was off-camera, too, he snapped angrily at the observers about the prisoners, complaining that while he had made numerous concessions to the inmates, they had given him nothing.

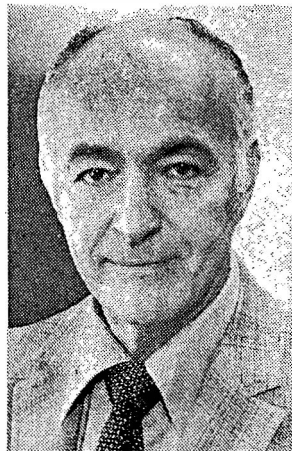
After it was over, and Oswald had dealt with the personal memories of his involvement in the incident in which 42 of what he called “the Good Lord’s children” were killed, he seemed to sound more like his old self.

“I’d be a fool to say this thing hasn’t set my program back a great deal,” the commissioner said, his eyes lowered. Then he looked up and continued: “But I still think that we’re going to be able to get back on the tracks now and move ahead even faster than we were. When I came into office last January, I promised that if I failed to make a great deal of progress in three years, I’d resign. And the promise still holds—I think we’re going to make it.”

Flag flies at half staff near the Attica village line as the town mourns its dead in the wake of the prison riot.



Joseph Martin



Nat Kanter



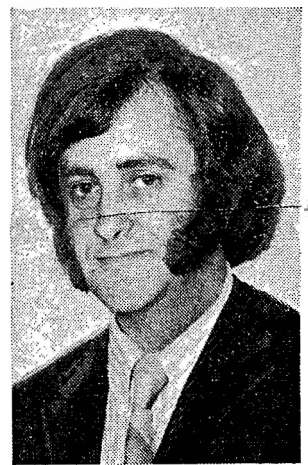
Donald Flynn



Alex Michelini



Jean Perry



Donald Singleton

THE NEWS Attica task force

THIS REPRINT of Attica: Anatomy of a Tragedy is offered as a public service at the request of officials of federal, state and local correctional institutions, legislators, bar associations, members of the judiciary and others. Additional copies will be furnished on request to:

**The Information Bureau
New York News
220 East 42d St.
New York, N.Y. 10017**



THE NEWS
NEW YORK'S PICTURE NEWSPAPER

November 1, 1971

REC-18 44-50605-115

Honorable Floyd Barger
Executive Editor
The News
220 East 42nd Street
New York, New York 10017

Dear Mr. Barger:

I have read your letter of October 26th,
with enclosures, and you were most thoughtful in
sending me this special newspaper account concerning
the riot at Attica. I appreciate your interest in
furnishing this material.

Sincerely yours,

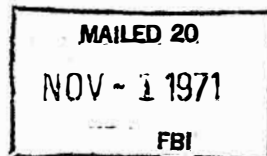
J. Edgar Hoover

1 - Enclosure (detached)

NOTE: Mr. Barger is on Special Correspondents List.
Enclosure is special report prepared by six reporters of
the "The News" analyzing the riot at Attica State Prison
in September, 1971.

JPK:mls (5)

Tolson
Felt
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy



NOV 19 1971

DEC 1 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

b6
b7C

UNRECORDED COPY FILED IN

F B I

Date: 11/15/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)TO: DIRECTOR, FBI
FROM: SAC, BUFFALO (44-592) (C)UNSUBS;
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS -
INMATES OF ATTICA
SUMMARY PUNISHMENT
CR
(OO: Buffalo)Rerep of SA THOMAS M. SHAUGHNESSY, dated 11/5/71,
at Buffalo.Enclosed for the Bureau are four (4) copies of
a letterhead memorandum (LHM) in this matter; enclosed
for New York are two (2) copies of above LHM.

ENCLOSURE

- 2 - Bureau (Encs. 4) (AM)
- 2 - New York (44-2086) (Encs. 2) (AM)
- 1 - Buffalo

TMS:mfh
(5)EX-115
REC-121cc: AAG Civil Rights Division
Form 6-94

1 cc CIVIL RIGHTS UNIT

1 NOV 17 1971

Approved: KLB
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
November 15, 1971

UNKNOWN SUBJECTS;
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
CIVIL RIGHTS

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On October 29, 1971, Special Agents CARL E.
UNDERHILL and [redacted] returned the following
items to [redacted] of Judge ROBERT FISCHER's
investigative staff at the Attica Correctional Facility,
Attica, New York:

(i) 1 Envelope Series No. 2 - Photos 1 - 11
1 " " No.12 - " 1 - 23
1 " " No.15 - " 1 - 93
1 " " No.16 - " 1 - 58
1 " " No.16 - " 59 - 123
1 " " No.23 - 1 Photo
1 " " No.24 - 2 Photos
1 " " No.25 - 2 Photos
1 " " No.26 - 2 Photos
1 " " No.27 - 2 Photos
1 " " No.28 - 2 Photos
1 " " No.29 - 2 Photos
1 " " No.30 - 2 Photos
1 " " No.31 - 3 Photos
1 " " No.32 - Photos 1 - 38
1 " " No.34 - Photos 1 - 6
1 " " No.35 - Photos 1 - 14
1 " " No.36 - Photos 1 - 30
1 " " No.37 - Photos 1 - 3
1 " " No.38 - Photos 1 - 27
1 " " No.39 - Photos 1 - 25
1 " " No.40 - 1 Photo
1 " " No.41 - Photos 1 - 25

44-50605-114
ENCLOSURE

UNKNOWN SUBJECTS;
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
CIVIL RIGHTS

(2) 1 Box containing 128 color photographs taken
by Monroe County

(3) 1 Envelope containing 143 color photographs
of the "E" series

(4) 4 Envelopes of black and white 8 x 10 photos:

No. 1 contained 59
No. 2 contained 18
No. 3 contained 15
No. 4 contained 30

Total 122

(5) 346 Color slides itemized as follows:

Tray A - 66
Tray B - 27
Tray D - 80
Tray E - 8
Tray F - 39

Total 220

(6) 3 Boxes of 35 mm slides labeled as follows:

54 slides of bodies in morgue
37 slides of post assault phase
27 slides of Attica scenes

(7) 1 Envelope of 60-3 x 5 color photos of Attica
taken by Trooper

(8) Envelope No. 42 - Photos 1 - 15

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(9) Envelope No. 43 - Photos 1 - 9

UNKNOWN SUBJECTS;
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
CIVIL RIGHTS

On November 8, 1971, Special Agent [redacted] returned two reels of 8 mm motion picture film, representing the contents of 11 reels of film taken by New York State Police photographers at the Attica Correctional Facility to [redacted] New York State Police, Batavia, New York.

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On November 15, 1971, [redacted] furnished the following information:

Sixty individuals of Wyoming County, New York, have been subpoenaed to report to the Wyoming County Court House, in Warsaw, New York, on November 29, 1971. [redacted] stated that 23 of these individuals would subsequently be impaneled as a criminal Grand Jury to investigate the entire aspects leading up to the riot, which commenced on September 9, 1971; the criminal allegations emanating from the riot, September 9-13, 1971; and any criminal allegations subsequent to the riot.

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

F B I

Date: 10/7/71

Transmit the following in _____

(Type in plaintext or code)

Via AIRTELAIR MAIL SPECIAL DELIVERY

(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO : DIRECTOR, FBI 44-50605

FROM: SAC, BUFFALO (44-592) (P)

INMATES,
ATTICA PRISON
CR

STATE PRISON

Remytel and airtel, 10/6/71.

Enclosed for the Bureau are the following items pertaining to captioned matter:

1. Three (3) copies of press release dated 10/6/71 from Office of Governor NELSON A. ROCKEFELLER, New York, setting forth verbatim context of a letter from Governor ROCKEFELLER to Attorney General JOHN MITCHELL, dated 10/5/71.
2. Three (3) copies of article from 10/6/71 issue, page one, "Buffalo Evening News," captioned "ROCKY Asks Rights Probe at Attica." 12 NOV 18 1971
3. Three (3) copies of article from 10/6/71 issue of "Buffalo Evening News," page one, captioned "Fischer Outlines Scope of Probe Into Attica Riot."
4. Three (3) copies of article from 10/6/71 issue, page 41, "Buffalo Evening News," captioned "Lawyers Trying to Crush Probe, Fischer Claims."

ENCLOSURE

- 2 - Bureau (Enc. 18) (AMSD)
2 - Albany (Enc. 10) (AMSD)
2 - Buffalo
BFB:jmb
(6)

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

NOV 23 1971

☆ U. S. GOVERNMENT PRINTING OFFICE: 1971-410-135

5. Three (3) copies of article from 10/7/71 issue, page one, Buffalo "Courier-Express," captioned "Suit Over Convicts' Rights Dismissed."
6. Three (3) copies of article from 10/7/71 issue, page one, Buffalo "Courier-Express," captioned "Trooper and Guard Acts Investigated."

Albany is being furnished two copies each of items two through six for information purposes.

Review of Governor ROCKEFELLER's letter to Attorney General reveals that by letter dated 9/28/71, ROBERT E. FISCHER, New York State Attorney General appointed by Governor ROCKEFELLER to conduct the State's investigation at Attica, wrote to the Department of Justice in regard to the question of protecting the civil rights of Attica inmates. FISCHER noted that specific complaints of assaults upon inmates had not been brought to his attention either by inmates or by their counsel and that he would investigate any such allegations if they were brought to his attention. FISCHER stated, however, that a possible conflict would exist if the inmates making allegations of assaults committed against them were also possible defendants and the targets of the broader criminal investigation he is conducting. FISCHER indicated in his letter that the five-member panel appointed by Justice HARRY GOLDMAN of the New York State Appellate Division to investigate the Attica riot had advised him, FISCHER, of its receipt of complaints from inmates who may have actively participated in the riot that they had been physically mistreated, in violation of their rights. FISCHER was asked by the GOLDMAN panel to request the participation of the Civil Rights Division, and FISCHER indicated he would welcome the Civil Rights Division's undertaking of whatever action was deemed appropriate. Governor ROCKEFELLER therefore noted in his letter that to relieve the pressure that the potential conflict between certain inmates' rights and the criminal investigation now underway imposes on FISCHER and his staff and to assure public confidence in the objectivity and fairness of the entire Attica investigation, he was formally requesting the Civil Rights Division of the Department of Justice to investigate claims by Attica inmates that their rights had been violated.

As noted in the enclosed Buffalo "Courier-Express" article captioned "Suit Over Convicts' Rights Dismissed," USDC Judge JOHN T. CURTIN on 10/6/71 dismissed a suit by civil rights attorneys charging the Constitutional rights of Attica inmates were being violated in the aftermath of the 9/9-13/71 Attica riot.

BU 44-592

According to the article, the Judge further stated that "The evidence before the court is that any actions of state officials arguably amounting to unconstitutional conduct occurred shortly after they regained control on Sept. 13." The Judge said there was no evidence that abuses were continuing and "therefore, the relief sought by the plaintiffs is denied and the defendants' motion to dismiss is granted."

[redacted] Judge CURTIN, advised today that Judge CURTIN rendered an oral decision from the bench on 10/6/71 and the decision is not filed in such circumstances. Judge CURTIN's verbatim decision can be obtained only by securing a transcript of the court record when it becomes available, date unknown. [redacted] estimated a copy of the transcript of Judge CURTIN's lengthy decision would cost approximately \$2.00 per page when available.

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Above furnished for Bureau's information in view of possible request from the Department for a civil rights investigation.

F B I

Date: 11/16/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, BUFFALO (62-2488) (C)

[REDACTED]

MISCELLANEOUS INFORMATION
CONCERNING

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Enclosed for the Bureau are the original and three copies of an LHM, which contains remarks made by captioned individual during his interview by Buagent. LHM being furnished for transmittal to Civil Rights Division, U. S. Department of Justice in view of the fact that subject is an inmate of Attica Correctional Facility (ACF) and has furnished information to Bureau of Criminal Investigation (BCI) personnel, New York State Police (NYSP) regarding recent riot situation at Attica.

It is noted that information previously furnished Bureau regarding Attica riot situation was under Buffalo file 44-592 and captioned "UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming) County, New York; UNKNOWN VICTIMS, Inmates of Attica; SUMMARY PUNISHMENT, CR."

One copy of the enclosed LHM has been furnished United States Attorney, Buffalo, New York.

Buffalo conducting no further investigation in captioned matter.

4 ENCLOSURE
② - Bureau (Encs. 4) (AM)
1 - Buffalo

REC-4

15 NOV 22 1971

JLB:sal
(3)

EX-100

NOV 1971 CIVIL RIGHTS DIVISION
Form 6-94 (C) RHP:244
FBI CIVIL RIGHTS UNIT
11-19-71

Approved: *[Signature]*

Sent _____ M Per _____

Special Agent in Charge

51 NOV 29 1971



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
November 16, 1971

[Redacted]

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On November 10, 1971, a letter was received addressed to the Federal Bureau of Investigation (FBI), Buffalo, New York and signed [Redacted]. The following are the contents of that letter:

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"Gentlemen of the FBI

"I need your help and I would like to see you. I can't explain in writing. It is very important."

On November 15, 1971, [Redacted]
Attica Correctional Facility (ACE) Attica, New York, was con-
tacted and advised that [Redacted] Attica Inmate Number
[Redacted] was received at Attica on [Redacted]

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b7C

Offense

Minimum Sentence

Maximum Sentence

--	--	--

44-50605-118

ENCLOSURE

[redacted]

b6
b7C

Offense

Minimum Sentence

Maximum Sentence

[redacted]

[redacted] stated that on September 13, 1971, [redacted] had been transported to Meyer Memorial Hospital, Buffalo, New York for treatment of gunshot wounds he suffered when State officials took control of that section of the prison which had been previously held by inmates. [redacted] added that [redacted] was returned to Attica on [redacted] and since that time has been housed in Housing Building [redacted] advised that [redacted] has committed approximately [redacted] infractions of prison regulations since [redacted] for which he has been disciplined and provided the following descriptive and background data:

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Name
Race
Sex
Date of Birth
Place of Birth
Height
Weight
Hair
Eyes
Social Security
Number
Tattoos

[redacted]
[redacted]
white
Male

[redacted]
5' 11"
173 lbs.
Brown
Brown

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 11/16/71

[redacted] Attica Correctional Facility (ACF), was contacted and was exhibited a letter signed [redacted] which had been contained in an envelope addressed to the Federal Bureau of Investigation, Buffalo, New York. After examining this letter, [redacted] stated he had written it and wished to talk with contacting Agent.

[redacted] stated that when State officials took the section of the prison that was held by inmates during September, 1971, he had received gunshot wounds and was transferred to Meyer Memorial Hospital, Buffalo, New York, for treatment of same. [redacted] advised that while at the hospital, he was interviewed by personnel of the Bureau of Criminal Investigation (BCI), New York State Police (NYSP) and had furnished to them all of the information known to him regarding the riot situation at Attica. [redacted] continued that when he returned to Attica and was confined in the prison hospital, he was again interviewed by personnel of the above agency.

[redacted] stated that on both occasions of the above interviews, he attempted to "make a deal" in that if he furnished information, he would be granted some type of consideration regarding his release from confinement. [redacted] stated that at the time of his second interview as above, he was asked to select photographs of certain individuals involved in the riot and that he had refused to do this.

[redacted] then stated that between [redacted]
[redacted]
[redacted]

Interviewed on 11/15/71 at Attica, New York File # Buffalo 62-2488

by SA [redacted]

-3-

Date dictated 11/16/71

[redacted] continued that between [redacted]

b6
b7C

[redacted] his confinement. [redacted] continued that

the above release was due to [redacted] with the late Senator ROBERT KENNEDY, who was instrumental in obtaining his release.

[redacted] stated that in [redacted] for the crimes that he is currently serving time for and advised he explained all of the above in view of the fact that he was now requesting Federal custody. When asked to explain this, [redacted] stated that while he was at Meyer Memorial Hospital, he was not allowed to read any of the news media's accounts of the Attica riot and therefore, was not aware of these accounts when he was first interviewed by the BCI personnel. [redacted] stated that he had told these personnel that hostages had been killed by inmates but had learned through the reading of news media accounts that the hostages were not killed by inmates but were in fact killed by State authorities when control was regained of the entire prison. [redacted]

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b7F

[redacted] BCI personnel.

[redacted] continued that he did not trust State authorities in that he did not feel they would give him the consideration they had promised, adding that if he does not cooperate he suspected State authorities may start a rumor among appropriate inmates regarding the fact he had cooperated and given information. [redacted] then requested protection by the Federal Government and solicited contacting Agent's advice.

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b7C

[redacted] was advised that he could not be taken into Federal custody, that the FBI could offer him no protection and that contacting Agent could not act as his attorney in giving him advice. [redacted] was further advised

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b7C

BU 62-2488

-3-

that the FBI had no jurisdiction in determining the activities of those inmates who may have committed crimes during the Attica riot situation.

[redacted] further stated that the basis for his contacting the FBI was that he did not trust State authorities, was fearful for his life, and wanted to furnish information regarding the riot in return for consideration as to his release in view of the fact he is serving [redacted]

[redacted] was advised that the FBI could not help him in the above regard and the interview was terminated.

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

F B I

Transmit in _____ Via Airtel
(Type in plaintext or code)

(Priority)

TO: SAC, Buffalo (44-592)
 New York (44-2086) Albany (44-691)
 From: Director, FBI (44-50605)

Date **12/7/71**

1 - Mr. McDonough

**UNKNOWN SUBJECTS,
 CORRECTIONAL OFFICERS,
 ATTICA CORRECTIONAL FACILITY,
 ATTICA (WYOMING COUNTY), NEW YORK;
 UNKNOWN VICTIMS - INMATES OF ATTICA
 CIVIL RIGHTS**

Enclosed are two copies of a self-explanatory Departmental letter dated **12/3/71**.

Complete the requested investigation in accordance with the provisions of Section **27**,
Volume II, Manual of Instructions, and surep within **14**
 days of the receipt of this communication.

State in the first paragraph of the details of your report that it contains the results
 of a ☒ limited investigation and underscore the word ☒ limited
☐ preliminary ☐ preliminary

Advise ☒ all persons interviewed
☒ appropriate officials at the outset that this investigation is being conducted
 at the specific request of the Assistant Attorney General in charge of the Civil Rights Division,
 U. S. Department of Justice, referring to him by name as well as title.

Remarks:

**Copies of the request from the Civil Rights Division
 are being enclosed also for Albany and New York in the event
 investigation is required in those areas.**

EX-101

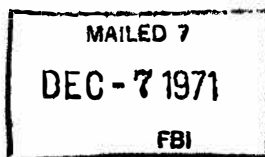
Enc. 2)

REC-14

44-50605-119

(Do not type below this line.)

EJM/mkc (8)



DEC 8 1971

MAIL ROOM ☒ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION

DATE: **October 28, 1971**

FROM : Director, FBI

ATTENTION:

SUBJECT: **UNKNOWN SUBJECTS,
CORRECTIONAL OFFICERS;
ATTICA CORRECTIONAL FACILITY;
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
CIVIL RIGHTS**

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Reference is made to your memorandum dated _____
(your file _____).

There is enclosed one copy of the report of Special
Agent Thomas M. Shaughnessy dated 10-27-71
at Buffalo.

A. ☐ This covers the preliminary investigation and
no further action concerning a full investigation will be taken
by this Bureau unless the Department so directs.

B. ☐ The investigation is continuing and you will
be furnished copies of reports as they are received.

C. ☒ The investigation requested by you has now
been completed. Unless advised to the contrary no further in-
quiries will be made by this Bureau.

D. ☐ Pursuant to instructions issued by the Depart-
ment, no investigation will be conducted in this matter unless
specifically directed by the Department.

E. ☐ Please advise whether you desire any further in-
vestigation.

F. ☐ This is submitted for your information and you
will be advised of further developments.

G. ☐ This is submitted for your information and no
further investigation will be conducted unless specifically re-
quested by the Department.

NOT RECORDED
OCT 29 1971

ENCLOSURE H. ☐ This covers the receipt of a complaint and no
further action will be taken by this Bureau unless the Department
so directs.

SEE NOTE ATTACHED

Enc. *6-50605*

6-50605

NOTE: (On 694)

Justice Goldman will be interviewed if and when he is made available by his doctor.

Enclosed also are two copies each of exhibits described in the report and on the accompanying identifying legends.

Appropriate reproductions of photographic or other material will be furnished as processing is completed.

ENCLOSURES

One copy of handwritten medical reports from [redacted]

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Autopsy Reports

One copy
~~XXXXXXXXXXXX~~ of autopsy reports
of [redacted]

(B-2)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

(B-2a)

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JOHN J. D'ARCANGELO, JR.

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

RONALD D. WERNER

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

RICHARD J. LEWIS

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

CARL WALONE

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

HERBERT W. JONES

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

ELMER G. HENDLE

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

WILLIAM QUINN

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

JOHN C. MONTELEONE

(B-2a)

One copy
~~XXXXXXXXXXXX~~ of autopsy report
of [redacted] regarding

ELON F. WERNER

(B-2a)

-B-

COVER PAGE

44-50605-
ENCLOSURE

ENCLOSURES (Continued)

One copy

~~xxxxxx~~ of transcripts of
autopsies performed by [redacted]
[redacted]

(B-2b)

One copy

~~Four (4) copies~~ of autopsy report
of [redacted] regarding
JOSE MENTIGO

(B-2b)

One copy

~~Four (4) copies~~ of autopsy report
of [redacted] regarding
ROBERT J. HANIGAN

(B-2b)

One copy

~~xxxxxx~~ of autopsy report
of [redacted] regarding
JOHN BARNES

(B-2b)

One copy

~~xxxxxx~~ of autopsy report
of [redacted] regarding
JAMES ROBINSON

(B-2b)

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One copy

~~xxxxxx~~ of autopsy report
of [redacted] regarding
HAROLD THOMAS

(B-2b)

One cte copy

~~xxxxxx~~ of autopsy report
of [redacted] regarding
BERNARD DAVIS

(B-2b)

One copy

~~xxxxxx~~ of autopsy report
of [redacted] regarding
LORENZO MC NEIL

(B-2b)

One copy

~~xxxxxx~~ of autopsy report
of [redacted] regarding
SAMUEL MELVILLE

(B-2b)

One copy

~~xxxxxx~~ of autopsy report
of [redacted] regarding
CHARLES LUNDY

(B-2b)

ENCLOSURES (Continued)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
RAFAEL JASQUEZ

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
WILLIE FULLER

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
ELLIOTT BARKLEY

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
ALFRED L. WILLIAMS

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
THOMAS HICKS

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
SANTO SANTIAGO

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(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
RAYMOND RIVERA

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
BARRY J. SCHWARTZ

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
MICHAEL PREVATERA

(B-2b)

One copy

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
MARTIN GIDELL

(B-2b)

~~XXXXXXXXXXXX~~ of autopsy report
of [REDACTED] regarding
ALLEN DURHAM

(B-2b)

ENCLOSURES (Continued)

One copy

~~XXXXXXXXXXXX~~ of medical reports
regarding Attica Correctional Facility
(ACF) from Captain [REDACTED]

(B-3)

One copy

~~XXXXXXXXXXXX~~ each of 17 medical
reports of prisoners at Meyer
Memorial Hospital

(B-4)

One copy

~~XXXXXXXXXXXX~~ of [REDACTED]
[REDACTED] 10/15/71
New York State Police regarding riot

(C-1)

One copy

~~XXXXXXXXXXXX~~ of [REDACTED]
[REDACTED] 10/8/71 regarding ACF--
Police Action

(C-1)

One copy

~~XXXXXXXXXXXX~~ of [REDACTED]
[REDACTED] 10/7/71, Abstract of Events
at ACF

(C-1)

One copy

~~XXXXXXXXXXXX~~ of [REDACTED]
[REDACTED] 10/6/71, Activities Attica
State Prison Detail

(C-1)

One copy

~~XXXXXXXXXXXX~~ of Major J. W. MONAHAN,
10/1/71, ACF-Riot Intelligence

(C-1)

One copy

~~XXXXXXXXXXXX~~ Major J. W. MONAHAN,
9/19/71 - ACF

(C-1)

One copy

~~XXXXXXXXXXXX~~ of Captain [REDACTED]
[REDACTED] 9/17/71, Briefing - State
Police Plan of Action - 9/13/71, ACF

(C-1)

One copy

~~XXXXXXXXXXXX~~ each of 270
interviews of New York State
Police officers by other New
York State Police officers

(C-1a)

One copy

~~XXXXXXXXXXXX~~ of report of New
York State Correction Department

(C-2)

ENCLOSURES (Continued)

One copy

~~xxxxxx~~ of New York State
Army and Air National Guard Report

(C-3)

One copy

~~xxxxxx~~ of Monroe County
Sheriff's Office report

(C-4)

One copy

~~xxxxxx~~ of 436 New York State
Correction Officer's reports plus one
Miscellaneous Corrolating Material

(C-5)

One copy

~~xxxxxx~~ of three State Park
Police Reports

(C-6)

Exhibit B - Medical Records

1. From [redacted]
2. Autopsy reports
 - a. Hostages
 - b. Prisoners
3. From Captain [redacted] re ACF
medical reports

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Exhibit C - Official Law Enforcement Reports

1. New York State Police Command Reports
 - 1a. New York State Police officer reports
2. New York State Correction Department Report
3. New York State Army and Air National Guard Report
4. Monroe County Sheriff's Office Report
5. 436 New York State Correction Officer's reports
plus one miscellaneous corrolating material
6. Three State Park Police Reports

Enclosed also are the following in connection with
civil suit -197-410 in U. S. District Court.

- A. Index to Record On Appeal
- B. Supplemental Index to Record On Appeal
- C. Supplemental Clerk's Certificate
- D. Clerk's Certificate
- E. Temporary Restraining Order filed September 14,
1971
- F. Affidavit of [redacted] filed September 14,
1971
- G. Affidavit of [redacted] filed September 14,
1971
- H. Complaint filed September 15, 1971
- I. Affidavit and Order that proceeding be
transcribed at United States' expense
- J. Plaintiffs' Affidavit and motion for
reconsideration of court's ruling denying
access of plaintiffs' counsel to plaintiffs etc.
- K. Plaintiffs' - affidavits.
- L. Temporary Restraining Order of September 23, 1971
- M. Order Show Cause Signed September 23, 1971
by Judge CURTIN.
- N. Affidavit of [redacted] of September 28, 1971
- O. Writ of Habeas Corpus Ad Testificandum re
[redacted]
- P. Writ of Habeas Corpus Ad Testificandum re [redacted]
[redacted]
- Q. [redacted] Habeas Corpus Ad Testificandum re [redacted]
[redacted]

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- R. Affidavit of DAVID M. RICHMAN
- S. Order Show Cause why an order should not be entered dismissing the complaint
- T. Amended Complaint For Declaratory Judgment, Injunction and Other Appropriate Relief filed September 28, 1971, at United States District Court for Western District of New York
- U. Interim Order filed September 28, 1971
- V. Plaintiff's Notice of Appeal filed September 30, 1971
- W. Certification Pursuant to Federal Rule 54 (b) of Federal Rules of Procedure filed October 9, 1971
- X. Exhibit R1 - Notice to Inmates of Attica Correctional Facility from ROBERT E. FISCHER of September 24, 1971 (such is included in (U) (Interim Order of September 28, 1971)
- Y. Five Writs of Habeas Corpus Ad Testificandum referring to [REDACTED]
[REDACTED]
[REDACTED] plus the Affidavit of [REDACTED]
- Z. Order of October 6, 1971 of Judge JOHN T. CURTIN ordering proceedings that the suit be transcribed at expense of the United States
- A1. Clerk's Certificate filed October 4, 1971 at United States Court of Appeals, Second Circuit
- A2. Temporary Restraining Order filed September 14, 1971, at United States District Court of Western District of New York
- A3. Affidavit of [REDACTED] filed September 14, 1971, at United States Court of Western District of New York
- A4. Affidavit of [REDACTED] filed September 14, 1971 at United States District Court of Western District of New York
- A5. Complaint for Declaratory Judgment, Injunction and other appropriate relief
- A6. Affidavit of [REDACTED]

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- A7. Order of Judge JOHN CURTIN that proceedings at the suit be paid at expense of the United States
- A8. Brief for Appellants dated September 30, 1971
- A9. Brief for Appellees dated
- A10. Reply Brief for Appellants filed October 7, 1971, at United States Court of Appeals of Second Circuit

All. Copy of the transcript of proceedings of Civil Action Number 1971-410 (Inmates of the Attica Correctional Facility, [redacted] on behalf of themselves and all other persons similarly situated). As plaintiffs versus (NELSON ROCKEFELLER, Governor, State of New York; RUSSEL G. OSWALD, Commissioner of Corrections of the State of New York; VINCENT MANCUSI, Superintendent, Attica Correctional Facility) as Defendants in United States District Court for Western District of New York at Buffalo, New York. These transcripts cover such hearings on September 14, to September 16, 1971, September 23, 1971, September 27, 1971, September 30, 1971, October 4, 1971, October 4, 1971, October 5, 1971 and October 6, 1971.

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Enclosed also are copies of medical records provided by [redacted] New York State Department of Correction Facilities.

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UNITED STATES GOVERNMENT

Memorandum

TO : *B* Mr. Bates

DATE: 12/6/71

FROM : C. L. *McGowan*

SUBJECT: UNKNOWN SUBJECTS; CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA CIVIL RIGHTS

1 - Mr. Rosen
1 - Mr. Bates
1 - Mr. Shroder
1 - Mr. McGowan
1 - Mr. McDonough
1 - Mr. Felt
1 - Mr. Mohr
1 - Mr. Bishop
1 - Mr. Callahan

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

At the request of the Civil Rights Division, we conducted specifically outlined investigation of alleged prisoner abuse during the retaking of the Attica, New York, Correctional Facility on 9/13/71, the results of which were forwarded to the Civil Rights Division on 10/28/71.

Based on results of that investigation, the Civil Rights Division has requested additional specifically outlined investigation covering more than 30 interviews of inmates who were reportedly beaten; interviews of possible witnesses to brutality; interviews of a New York State Senator and the Deputy Commissioner of Correction and obtaining copies of appropriate medical and police radio communication records relating to this incident.

Pursuant to the Director's instructions, SAC Gamble of the New York Office proceeded to Buffalo and was in charge of the initial investigation in the field. Inasmuch as the Department desires only limited investigation in its current request, it appears that this can be handled by the personnel of the Buffalo Office.

ACTION:

If approved, the Department's request will be forwarded to the Buffalo Office to be handled by personnel of that office.

EJM/mkc/pwl (10)

44-50605-120

REC-1 2
WAS
SD/GCM
15 DEC 8 1971
57 DEC 15 1971
12/7/71
6-8pm

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director
Federal Bureau of Investigation

DATE: DEC 3 1971

DLN:MG:BLK:rs

FROM : David L. Norman
Assistant Attorney General
Civil Rights Division

DJ 144-53-313

SUBJECT: Unknown Subjects,
Correctional Officers,
① Attica Correctional Facility,
Attica (Wyoming County), New York;
Unknown Victims - Inmates of Attica
CIVIL RIGHTS

Reference is made to your memorandum dated October 28, 1971, in the above captioned matter. In this regard please conduct the following additional investigation:

1. On page 16 of your report Mr. Louis Nunez, a member of the Goldman panel, reported that he had interviewed two inmates at Attica Correctional Facility (ACF) [redacted] who alleged they had been beaten after the prison had been secured on September 13, 1971. [redacted] allegedly received a broken arm as a result of the beating.

On page 19 of your report Mr. Robert P. Patterson, a member of the Goldman panel, reported that he had interviewed two inmates at ACF, [redacted] who alleged they had been beaten after the prison had been secured on September 13. [redacted] alleged he was beaten by a State Policeman while lying on a stretcher awaiting an ambulance.

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, E.S.	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

37 DEC 6 1971

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REC-12

44-50605-121

3 DEC 8 1971

Memo McGowan to Bx-447
57 DEC 15 1971
FJM/MKC

On page 20 of your report Mr. Clarence B. Jones, a member of the Goldman panel, reported that he had interviewed an ACF [redacted], who alleged he was beaten after the prison was secured. Mr. Jones also reported that he interviewed another inmate [redacted] who witnessed the alleged beating of [redacted]

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On pages 23 and 24 of your report Mr. Donald H. Goff, a member of the Goldman panel, reported that he had interviewed [redacted] a former ACF inmate currently incarcerated at Clinton Correctional Facility, who alleged he was beaten after the prison was secured. [redacted] alleged he was not involved in the inmate uprising at ACF. Through interviews with other inmates Goff reported that [redacted] a Clinton inmate formerly at ACF, was beaten in a manner similar to [redacted] Goff also reported he interviewed [redacted] currently incarcerated at Clinton, who allegedly witnessed the beating of approximately 13 inmates by State Police at ACF on September 14, 1971.

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(a) Interview [redacted]
[redacted]
[redacted]

b6
b7C

[redacted] concerning their alleged beatings; particularly whether they are able to identify their alleged assailants or recognize them from photographs and whether they know of any witnesses to their alleged beatings. If witnesses are identified, please interview any such witnesses to obtain their account of the alleged beatings.

Also determine any allegations [] may have concerning the failure or refusal of ACF medical personnel to provide him medical treatment for a chronic kidney ailment.

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(b) Interview [] to obtain his account of the alleged beating of []

(c) Interview [] to obtain his account of the alleged beatings of approximately 13 inmates at ACF on September 14, 1971.

(d) If medical records other than those you have previously provided are maintained by ACF or Clinton Officials for [] please obtain copies.

2. On page 18 of your report Mr. Robert P. Patterson advised that he had interviewed several prisoners who complained of being beaten by guards and State Policemen while being made to run a gauntlet. Mr. Patterson advised that John Dunn, New York State Senator, and Walter Dunbar, Deputy Commissioner of Correction, witnessed such a gauntlet in Cell Block A at ACF on September 13, 1971. Please interview John Dunn and Walter Dunbar to obtain their accounts of alleged beatings administered to inmates at ACF by guards and State Police in gauntlets.

3. On page 20 of your report Clarence B. []

Jones advised that inmates []

[] observed inmate James Hicks shot by a State Policeman after Hicks had surrendered following the securing

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of ACF on September 13, 1971. Enclosure B-2b of your report contains an autopsy report of [redacted] regarding one Thomas Hicks, P-19. That autopsy report indicates that two bullets and fragments from another were removed from Hick's body and placed in container A-358-71.

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(a) Please determine whether [redacted]

[redacted]
and Thomas Hicks, the deceased inmate, are the same person.

(b) Please interview [redacted]

[redacted] to determine their account of Hick's death and whether they could identify or recognize from photographs the officer who shot Hicks.

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b7C

(c) Please obtain the pellets removed from Thomas Hick's body and determine, if possible, their caliber, and whether the pellets were shot from the same weapon.

(d) Obtain from prison authorities a definite identification of the location where Hick's body was found. Include a description of the position of Hick's body, and any physical evidence surrounding that point, including blood stains, weapons and other debris.

4. Information derived from medical reports provided by [redacted]

[redacted] and contained in Annex B of your report, indicates that inmates [redacted]

[redacted] and [redacted] Prison [redacted]
[redacted] were allegedly beaten in their cells

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b7C

by correctional officers after control of ACF had been regained. Please interview these inmates to determine their accounts of the alleged beatings, particularly the injuries received, the time and place the injuries were sustained, and identification of their alleged assailants and any other witnesses.

5. Information derived from medical reports provided [redacted]

[redacted] and contained in Annex B of your report, indicates the following Attica inmates sustained injuries possibly inflicted by correctional or law enforcement officers after control of ACF had been regained:

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<u>Name</u>	<u>Prison Number</u>	<u>Alleged Injury</u>
Unk.		
Unk.		
Unk.		
Charles Beard	23341	Head laceration from blunt object.

<u>Name</u>	<u>Prison Number</u>	<u>Alleged Injury</u>

b6
b7C

Please interview the above listed inmates to determine the nature of the injuries they received, how the injuries were received, the time and place the injuries were received, identification of possible assailants, if any, and witnesses, if any.

6. Each of the following individuals testified in the federal court action captioned Inmates of the Attica Correctional Facility, et al., v. Nelson Rockefeller, et al., (the transcript of which is enclosed with your report) concerning alleged acts of brutality by law enforcement officials against inmates after control of ACF had been regained:

(a) Interview [redacted]
(transcript, Sept. 16, pages 29-76),
St. Lawrence Avenue, Buffalo, New
York, who was at the Attica Correctional
Facility on September 13, 1971, as
part of a National Guard unit.
Specifically, determine what in-
formation he may have concerning
alleged brutality committed
against inmates by Correctional
Officers, State Troopers, National
Guardsmen, or other law enforce-
ment officials, after the retaking
of the institution. Also determine

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b7C

whether or not he can identify any of the persons allegedly committing such acts, either by name or number, or whether he could recognize such officers from a photographic identification.

(b) Interview inmate [redacted] (Transcript, Sept. 30, pages 46-51), concerning allegations that he was struck by correctional officers in a gauntlet line outside A Block on September 13, 1971, after ACF had been retaken by New York State Police. Determine whether [redacted] alleges any other examples of misconduct or brutality by officials. Also determine whether or not he is able to identify any such persons either by name or number, or whether he would recognize any such persons from a photographic identification.

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(c) Interview inmate [redacted] (Transcript, Sept. 20, pages 95-101), concerning allegations that he was struck on the head and kicked in the throat in A Yard by correctional officer [redacted] and an unknown State Police officer on September 13, 1971, after ACF had been retaken, and determine any other acts of brutality or threats made against him by officials. Also determine whether or not [redacted] can identify any other individuals committing such acts.

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(d) Interview inmate [redacted] (Transcript, Sept. 30, page 134), concerning allegations that he was beaten with clubs in a gauntlet line in front of HBZ on September 13, 1971,

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as he was being taken to a cell. Determine whether or not he can recognize any persons committing such acts.

(e) Interview [redacted] (Transcript, Oct. 4, pages 246-248), concerning allegations that inmates were beaten by State Police officers on the 14th of September. Also determine whether [redacted] has any information relating to other threats or acts of brutality, and whether he has any information on the deliberate destruction of personal property of inmates by officials of ACF. Determine whether [redacted] can identify by name or number, or whether he could photographically identify, any of the individuals allegedly committing such acts.

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(f) Interview inmate [redacted] (Transcript, Oct. 4, pages 264-298), concerning allegations that he was beaten by correctional officers on September 13, 1971, after the retaking of ACF. Determine whether he witnessed any other acts of misconduct directed toward inmates, and whether he can identify in any way persons allegedly committing such acts.

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(g) Interview Arthur O. Eve (Transcript, Oct. 4, pages 519-523), 14 Celtic Place, Buffalo, New York, a New York State Legislator, who allegedly saw inmate L. D. Barkley alive in A Yard

on September 13, 1971, after the retaking of Attica Facility. Determine from Eve the location of Barkley at the time Eve saw him, and how Eve determined that Barkley was alive at that time. Further determine the details of Eve's allegation that [REDACTED]

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[REDACTED] Identify the location of this incident, and whether Eve can identify any of the persons associated with this incident. Determine whether Eve has any other knowledge of alleged brutality or misconduct directed toward inmates by Attica officials after the retaking of the facility, and whether he is able to identify such persons.

(h) From prison authorities or other official sources, obtain photographs of L. D. Barkley, made while Barkley was still alive. These photographs should be the most recent available because they will be used in conjunction with photographs taken during the period following the retaking of the Attica Facility, to determine whether Barkley may still have been alive after inmate resistance had ceased.

(i) Obtain from prison authorities a definite identification of the locality where Barkley's body was found. Include a description of the position of Barkley's body, and any physical evidence surrounding that point including blood stains, weapons, and other debris.

(j) Obtain from Attica officials any medical reports relating to treatment given to the following inmates after September 13, 1971:

[REDACTED]

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7. Please obtain from state and local police any transcripts or recordings of police radio communications made in connection with the retaking of ACF between the hours of 9:00 a.m. and 12:00 noon on September 13, 1971.

Reference is also made to your memorandum dated November 15, 1971, and captioned as follows:

Unknown Subjects;

[REDACTED] - Victim

CIVIL RIGHTS

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b7C

That memorandum enclosed one copy of a letter dated November 8, 1971, at Dannemora, New York, from [REDACTED] who is incarcerated at Clinton Correctional Facility. In this regard please interview [REDACTED] concerning the allegation that he was beaten by a State Policeman and correctional guard on September 14, 1971. Please determine from [REDACTED] the location of the alleged beating, the nature of any injuries he received, whether he is able to identify any witnesses to the beating and whether he is able to identify his assailants.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

DEC 9 1971

TELETYPE

NR011 BU PLAIN

652PM URGENT 12-9-71 PXM

TO DIRECTOR (44-50605)

ALBANY (44-691)

NEW YORK (44-2086)

FROM BUFFALO (44-592) 3 P

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NY; UNKNOWN VICTIMS -
INMATES OF ATTICA; SUMMARY PUNISHMENT; CIVIL RIGHTS

RE BUREAU AIRTEL, DEC. SEVEN, LAST.

VINCENT R. MANCUSI, SUPERINTENDENT, ATTICA
CORRECTIONAL FACILITY (ACF), WAS ADVISED TODAY ADDITIONAL
INVESTIGATION REQUESTED BY THE DEPT. IN THIS MATTER
REVIEW OF RECORDS AT ACF REFLECT FOLLOWING PRISONERS

NOW LOCATED AS FOLLOWS:



CLINTON CORRECTIONAL FACILITY (CCF)

- CCF

CCF

END OF PAGE ONE

54 DEC 20 1971

REC-59

7 DEC 13 1971

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b7C

PAGE TWO

[REDACTED] - GREAT MEADOWS CORRECTIONAL FACILITY
(GMCFF)

[REDACTED] - GMCFF

ACF OFFICIALS ADVISED MOST OF OTHER PRISONERS TO BE INTERVIEWED PRESENTLY AT ACF, BUT SOME HAVE RECEIVED PAROLES AND CONDITIONAL RELEASES. RECORDS OF RELEASEES BEING SEARCHED TO ASCERTAIN THEIR PRESENT WHEREABOUTS.

ALBANY AT ALBANY, NY ADVISE GOV. ROCKEFELLER'S OFFICE AND COMMISSIONER RUSSELL OSWALD, COMMISSIONER OF CORRECTIONS, AND SUPERINTENDENT KIRWAN, NYSP RE ADDITIONAL INVESTIGATION BEING REQUESTED. INTERVIEW WALT DUNBARN DEPUTY COMMISSIONER OF CORRECTIONS AS INSTRUCTED IN REAIRTEL.

ALBANY AT CCF, INTERVIEW PRISONERS [REDACTED]

[REDACTED] AS INSTRUCTED IN REAIRTEL. OBTAIN ANY ADDITIONAL MEDICAL RECORDS FOR THESE PRISONERS SUBSEQUENT TO SEPT. THIRTEEN, LAST.

END OF PAGE TWO

b6
b7C

b6
b7C

PAGE THREE

AS INSTRUCTED IN REAIRTEL. OBTAIN ANY ADDITIONAL MEDICAL RECORDS FOR THESE PRISONERS AFTER SEPT. THIRTEEN, LAST.

b6
b7C

NEW YORK AT NEW YORK CITY, INTERVIEW JOHN DUNN,
NYS SENATOR, AS INSTRUCTED IN REAIRTEL.

BOTH ALBANY AND NEW YORK SUREP RESULTS OF INTERVIEWS
WITH FOUR COPIES FOR BUREAU AND THREE FOR BUFFALO.

P.

END

TMT FBI WA ACK UR TWO

NR014 NY PLAIN

151 PM URGENT 12-9-71 JAH

TO DIRECTOR

BUFFALO

ALBANY

FROM NEW YORK 44-2086 1P

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

UNKNOWN SUBJECTS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS-INMATES OF ATTICA, CIVIL RIGHTS

RE BUREAU AIRTEL DECEMBER SEVENTH, SEVENTYONE.

NYS SENATOR JOHN DUNN HAS LAW OFFICE AT ONE THREE NINE
NINE FRANKLIN AVENUE, GARDEN CITY, NEW YORK. SECRETARY
ADVISES DUNN PRESENTLY SOMEWHERE IN UPSTATE NEW YORK ON
"FIELD WORK." SHE EXPECTS THAT HE MAY CONTACT HIS OFFICE
LATE TODAY AT WHICH TIME NY WILL ATTEMPT TO ARRANGE APPOINT-
MENT. BUFFALO AND ALBANY REQUESTED TO ADVISE NEW YORK
IMMEDIATELY IF DETERMINED THAT PERSONS TO BE INTERVIEWED
AT ATTICA AND CLINTON HAVE BEEN TRANSFERRED TO PRISONS
IN NYO TERRITORY.

END

LMR FBI WA DC

REC-35 ST-106
44-50605 123

6 DEC 13 1971

54 DEC 20 1971

Mr. Tolson _____
 Mr. Felt _____
 Mr. Rosen _____
 Mr. Mohr _____
 Mr. Bishop _____
 Mr. Miller, ES _____
 Mr. Callahan _____
 Mr. Casper _____
 Mr. Conrad _____
 Mr. Dalbey _____
 Mr. Cleveland _____
 Mr. Ponder _____
 Mr. Bates _____
 Mr. Tavel _____
 Mr. Walters _____
 Mr. Soyars _____
 Tele. Room _____
 Miss Holmes _____
 Miss Gandy _____

NR 001 BU PLAIN

1123 12-13-71 NDN

TO DIRECTOR (44-50605) (NITEL)

NEW YORK (44-2086) (URGENT)

FROM BUFFALO (44-592) 2P

125

Mr. Tolson

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA
 (WYOMING COUNTY), NY; UNKNOWN VICTIMS - INMATES OF ATTICA; SUMMARY
 PUNISHMENT; CR

McDonnell
McDonnell

REMYTEL, DEC. NINE LAST.

FURTHER REVIEW OF RECORDS, ATTICA CORRECTIONAL FACILITY, REFLECTS
 FOLLOWING INFORMATION:

[REDACTED] TO NEW YORK CITY AREA.
 FORMER PRISONER, [REDACTED] TO
 NEW YORK CITY AREA.
 [REDACTED] TO
 POUGHKEEPSIE, NY AREA.

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b7C

REC-2 44-50605-124

NEW YORK AT NEW YORK CITY, CONTACT STATE PAROLE OFFICE, THREE ONE
 FOUR WEST FORTIETH ST., AND ASCERTAIN WHEREABOUTS OF [REDACTED]
 INTERVIEW [REDACTED]

Jul 6-68

END PAGE ONE

3 DEC 14 1971

PAGE TWO

NEW YORK AT POUGHKEEPSIE, NY, CONTACT THE STATE PAROLE OFFICE,
SIX TWO MARKET ST., ASCERTAIN WHEREABOUTS OF [REDACTED] AND THEREAFTER
INTERVIEW [REDACTED]

NEW YORK SUREP RESULTS OF INTERVIEWS WITH FOUR COPIES FOR BUREAU
AND THREE FOR BUFFALO.

P.

END.

DRL FBI WASH DC

b6
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PLAINTEXT

TELETYPE

URGENT

TO SACS BUFFALO
NEW YORK
ALBANY

12/14/71

FROM DIRECTOR FBI

REC-2

44-50605-124

1 - Mr. McDonough

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NY; UNKNOWN VICTIMS - INMATES OF ATTICA;
SUMMARY PUNISHMENT; CIVIL RIGHTS.

RE BUFFALO TELETYPES DECEMBER NINE ^{AND} THIRTEEN LAST.

BUFFALO TELETYPE DECEMBER THIRTEEN LAST REFLECTS REVIEW OF
RECORDS AT ATTICA CORRECTIONAL FACILITY DISCLOSES VARIOUS PRISONERS
PAROLED TO AREAS COVERED BY NEW YORK OFFICE, AND THEY WERE SO
PAROLED OCTOBER SEVEN AND TWENTY-ONE, AND NOVEMBER THIRTY LAST
RESPECTIVELY. THE DEADLINE IN THIS CASE WAS SET FOR FOURTEEN DAYS
FROM RECEIPT OF BUREAU AIRTEL DECEMBER SEVEN LAST. IN VIEW OF THE
IMPORTANCE OF THIS MATTER, YOU SHOULD INSURE IT IS AFFORDED
VIGOROUS AND CONTINUOUS ATTENTION IN ORDER THAT THE DEADLINE WILL
BE MET. LEADS SHOULD BE SET OUT BY TELETYPE WITH INSTRUCTIONS

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, F.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
London _____

EJM: cmb

(3)

SEE NOTE PAGE TWO...

54 DEC 20 1971

TELETYPE

MAIL ROOM ☐

TELETYPE UNIT ☐

TELETYPE TO SACS BUFFALO
NEW YORK
ALBANY

RE: UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY

CONCERNING THE DEADLINE AND NECESSITY FOR AFFORDING THE INVESTIGATION
CONTINUOUS AND VIGOROUS INVESTIGATION. NO UNWARRANTED DELAY WILL
BE TOLERATED IN THE HANDLING OF THIS INVESTIGATION.

NOTE:

This is to insure vigorous attention in the field to this case involving interviews with a number of inmates and ex-inmates of Attica prison as well as obtaining various medical and other records relating to alleged mistreatment of prisoners after the re-taking of the prison on 9/13/71.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALBANY	OFFICE OF ORIGIN BUFFALO	DATE 12/15/71	INVESTIGATIVE PERIOD 12/10 - 13/71
TITLE OF CASE UNKNOWN SUBJECTS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA		REPORT MADE BY SA 	TYPED BY kjw
		CHARACTER OF CASE CIVIL RIGHTS	

REFERENCE: Bureau airtel dated 12/7/71.

- RUC -

EXP. PROC. 38

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

4-Bureau (44-50605)
3-Buffalo (44-592)
(1 - USA, WDNY)
1-Albany (44-691)

44-50605-125 REG-48 EX-115

22
22 DEC 17 1971

Dissemination Record of Attached Report

Notations

Agency	CRP		
Request Recd.			
Date Fwd.	12-20-71		
How Fwd.	694-B		
By	J. M. ...		

STAT. SECT.

59 JAN 4 1972

A*
COVER PAGE

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to: 1 - USA, WDNY

Report of:
Date:

SA [REDACTED]
12/15/71

Office: ALBANY

Field Office File #: 44-691

Bureau File #: 44-50605

Title: UNKNOWN SUBJECTS,
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
Character: CIVIL RIGHTS

Synopsis:

[REDACTED] Great Meadows Correctional Facility (GMCF), Comstock, New York, advised he was an inmate in the Attica Correctional Facility (ACF), Attica, New York, on September 13, 1971, when control of this facility was regained by the New York State Police (NYSP). [REDACTED] stated during processing by NYSP, he accidentally slipped, fell, and injured his left arm. Said no one struck him.

[REDACTED] GMCF advised he was an inmate in ACF on September 13, 1971. [REDACTED] stated during processing he was struck by an unidentified officer on his left side with a club. Said he did not wish to make a complaint. Information from medical and arrest records of [REDACTED] and [REDACTED] at GMCF set forth.

[REDACTED] Clinton Correctional Facility (CCF), Dannemora, New York, advised he was an inmate in ACF on September 13, 1971. [REDACTED] stated he himself was not injured during the processing of inmates and declined to furnish information regarding incidents he observed during processing.

[REDACTED] inmate, CCF, advised he was an inmate in ACF on September 13, 1971. [REDACTED] stated that on September 14, 1971, he was hit in the back with a shotgun and was hit several more times on the back by a trooper whom he described and would be able to recognize from a photograph.

[REDACTED] inmate, CCF, advised he was an inmate in ACF on September 13, 1971. [REDACTED] stated he was pushed, tripped, struck on the back of the head, and kicked in privates by officers; unable to identify men who hit him. Information from medical records of [REDACTED] from CCF set forth. WALTER DUNBAR, executive deputy commissioner, New York State Department of Correctional facilities, Albany, New York, advised that on September 13, 1971, at the ACF, he witnessed a young unidentified Correction Officer strike two inmates with a baton

AL 44-691

on the rump or back of the legs. This officer stopped this practice when ordered to do so by DUNBAR.

- RUC -

DETAILS:

This report contains the results of a limited investigation.

On December 10, 1971, the following individuals were advised that investigation was being instituted in this matter:

[redacted] to New York State
Governor NELSON A. ROCKEFELLER, Albany, New York.

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RUSSELL G. OSWALD, Commissioner, New York State
Department of Correctional Facilities, Albany, New York.

[redacted] New York State
Police, Albany, New York.

[redacted]
Great Meadow Correctional Facility, Comstock, New York.

J. EDWIN LA VALLEE, Superintendent, Clinton
Correctional Facility, Dannemora, New York.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 12/15/71

[redacted] inmate, Great Meadow Correctional Facility, voluntarily furnished the following information:

On September 13, 1971, he was an inmate in the Attica Correctional Facility (ACF), Attica, New York. He was not involved in the taking over of this facility from the authorities by the inmates. The New York State Police regained control of this facility during the morning of September 13, 1971, and then started processing the inmates. He was ordered to strip his clothing in the "D" block yard. After doing this, he was ordered to walk to the "A" block section of the ACF. While walking as instructed, he slipped, since his feet were wet, on the marble floor, and fell on his left side, injuring his left arm. This was an accident. No individual struck him in any way.

[redacted] declined to furnish a signed statement, since he had no complaint to make.

The following descriptive and background data concerning [redacted] was obtained through interview and observation:

Name:	[redacted]
Home Address:	[redacted]
Date of Birth:	[redacted]
Place of Birth:	[redacted]
Race:	Negro
Sex:	Male
Height:	5'9"
Weight:	150 pounds
Hair:	Black
Eyes:	Brown
Complexion:	Medium brown
Build:	Medium
Education:	[redacted]

Employments: [redacted]

Interviewed on 12/10/71 at Comstock, New York File # AL 44-691

by SA [redacted] EFN/kjw Date dictated 12/14/71
and SA [redacted]

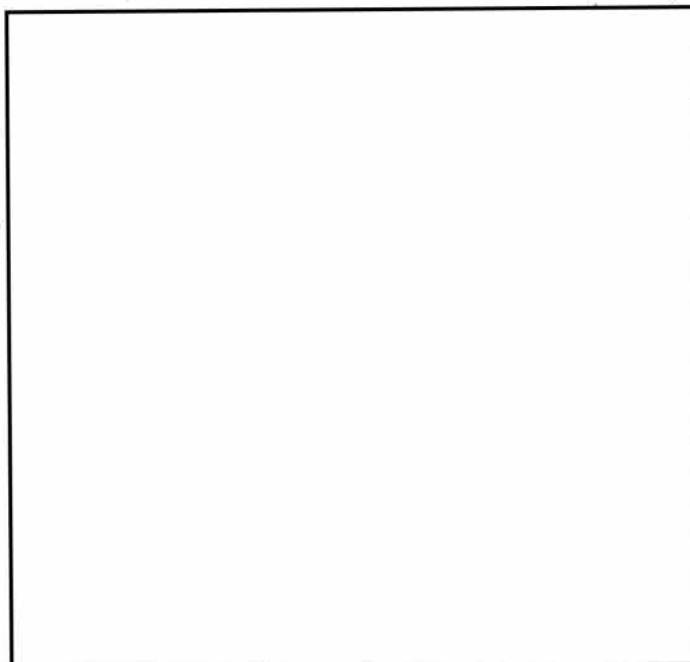
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AL 44-691

2

Military Service:
Relatives:



Marital Status:
Health:

Single
Good

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 12/15/71

[redacted] Clinical Physician, I,
Great Meadow Correctional Facility, (GMECF) made available
the following information from the medical record of [redacted]
[redacted] inmate, [redacted] from September 13, 1971, to
the present.

[redacted] was received from the Attica Correctional
Facility on September 18, 1971. His left arm was in a long-
arm cast. [redacted] apparently had suffered a fracture of the
left elbow. [redacted] also complained of a sore right chest.
X-ray of the right thorax on October 13, 1971, revealed no
abnormality. The cast was removed from his left arm on
November 1, 1971. The range of motion of the elbow was
limited. X-ray studies of the left elbow revealed joint
effusion continuing and a non-displaced fracture of the radial
head. Joint space is well maintained. Exercises to increase
the range of motion were recommended.

Interviewed on 12/10/71 at Comstock, New York File # AL 44-691

by S. [redacted] EPN/kjw Date dictated 12/14/71
and SA [redacted]

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it and its contents are not to be distributed outside your agency.

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AL 44-691

1

EFN:kjw

The following investigation was conducted by
Special Agent [redacted]

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[redacted] On December 10, 1971 [redacted]
[redacted], Great Meadow Correctional Facility (GMCF),
Comstock, New York, made available from his records the
arrest record of [redacted]
New York, inmate number [redacted] GMCF number [redacted] and
D.C.I. number [redacted]

A copy of this record is attached hereto.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 12/15/71

[redacted] inmate, Great Meadow Correctional Facility (GMSF), voluntarily furnished the following information:

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On September 13, 1971, he was an inmate in the Attica Correctional Facility (ACF), Attica, New York. He was not involved in the taking over of this facility from the authorities by the inmates. The New York State Police regained control of this facility during the morning of September 13, 1971, and then started processing the inmates. He was in the "D" block yard standing with other inmates. He and the other inmates were ordered to walk toward "A" block and then get down on their knees and crawl across the "A" block yard, then stand up and strip off their clothing. After doing this, they were ordered to walk to the "A" block cells. While walking in the corridor in "A" block, he was struck in the left side with a club by an officer wearing a gray uniform. He is unable to describe or identify this officer.

[redacted] stated he does not wish to make a complaint nor does he wish to furnish a signed statement.

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The following descriptive and background information concerning [redacted] was obtained through interview and observation:

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Name:	[redacted]
Home Address:	[redacted]
Date of Birth:	[redacted]
Place of Birth:	[redacted]
Race:	Negro
Sex:	Male
Height:	5'5"
Weight:	143 pounds
Hair:	Black
Eyes:	Brown
Complexion:	Dark brown
Build:	Muscular

Interviewed on 12/10/71 at Constock, New York File # AL 44-691

by SA [redacted] EFM/kjn Date dictated 12/14/71
and SA [redacted]

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This document contains [redacted] conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

AL 44-691

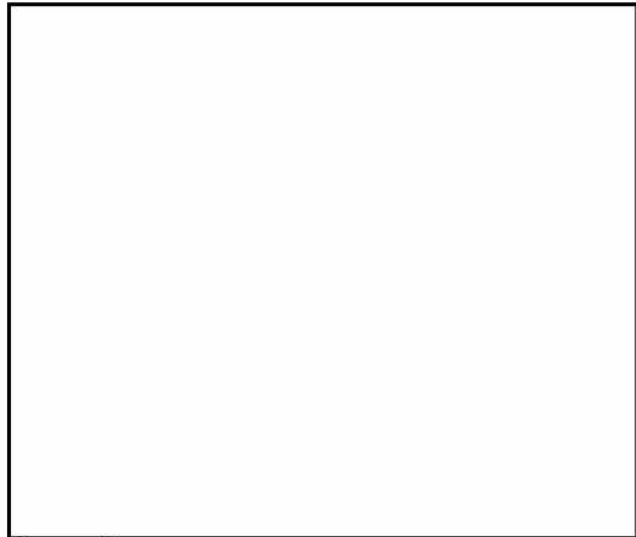
2

Education:

Employments:

Military Service:
Relatives:

Health:



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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 12/15/71

[redacted] Clinical Physician, I,
Great Meadow Correctional Facility (GMCF), made available
the following information from the medical record of
[redacted] from September 13,
1971, to the present.

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[redacted] was received from Attica Correctional
Facility on September 22, 1971. The initial physical exam-
ination failed to reveal any gross abnormality. [redacted]
complained of soreness in the left chest. X-ray of the left
thorax on September 27, 1971, did not reveal any fractures
or other bony abnormality. Subsequent to this, there is no
indication that [redacted] desired any other medical attention.

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Interviewed on 12/10/71 at Constock, New York File # AL 44-691

by SA [redacted] EFB/kjm Date dictated 12/14/71
and SA [redacted]

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AL 44-691

1

EFN:kjw

The following investigation was conducted by
Special Agent [redacted]

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On December 10, 1971, Mr. [redacted]
[redacted] Great Meadow Correctional Facility (GMC),
Comstock, New York, made available from his records the
arrest record of [redacted] at
[redacted] South Carolina, inmate number [redacted] GMC number
[redacted] and NYSIIS number [redacted]

A copy of this record is attached hereto.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 12/14/71

[redacted] inmate, Clinton Correctional Facility, voluntarily furnished the following information:

On September 13, 1971, he was an inmate in the Attica Correctional Facility, Attica, New York. The New York State Police regained control of this facility from the inmates during the morning of September 13, 1971, and then started processing the inmates.

[redacted] said that he had been confined in "g" Block at Attica and was not involved in the riots in any way. He said that he was in a position to see some incidents involving correction officers, state police, and inmates, but did not want to become involved in other people's problems. He, himself, was not hurt during or after the riots, but he did lose some personal property. He recently received a form from the Attica Defense Committee, asking that he report any personal or property damage or injury, but did not know who composed the Attica Defense Committee, so disregarded the form completely. He did file a Federal claim for property damages he had sustained in the riots, but did this entirely by himself.

[redacted] said that he does not wish to furnish any information regarding Attica, as he has another ten years to serve in state prison and does not want to jeopardize his future.

The files contain the following description of
PERSON:

Name:

Race:

Sex:

Height:

Weight:

Hair:

Eyes:

Negro

Male

5 feet 8 1/2 inches

160 pounds

Black

Maroon

Interviewed on 12/10/71 at Danvers, New York File # AL 44-691

by SA

[redacted] EDWARD A. MC SWANE

Date dictated 12/10/71

JR. /LRF:kjv

AL 44-691

Education:

Employment:

Military Service:

Social Security No.:

Residence:

Marital Status:

Wife:

Clinton No.:

DCI No.:

FBI No.:

[Redacted]

b6
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[Redacted]
[Redacted]
[Redacted] Married
[Redacted]
[Redacted] New York

[Redacted]
[Redacted]

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[Redacted]
[Redacted]
[Redacted] On October 15, 1969, Judge E. O. PROVENZANO,
Monterey County Court [Redacted]
[Redacted]

[Redacted] declined to furnish a signed statement.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 12/14/71

[redacted], inmate, Clinton Correctional Facility, voluntarily furnished the following information:

On September 13, 1971, he was an inmate in the Attica Correctional Facility, Attica, New York. The New York State Police regained control of this facility from the inmates during the morning of September 13, 1971, and then started processing the inmates.

[redacted] said that he would be willing to describe what he had seen and experienced, but that he would not be willing to furnish anything in writing without consulting an attorney. He stated that he did not understand all the legal implications, but had recently received a form letter from the Attica Defense Committee which stated that, "The FBI is supposedly investigating personal injuries, (in connection with the Attica riot)," but that "If you should be visited by the FBI, it would be to your advantage not to talk to them without consulting with an attorney."

[redacted] said that this form had two sections, 5-A and 5-B, which dealt with physical injury and property damage respectively; that he crossed out 5-A, dealing with physical injury, making another notation "had injury but didn't want to bother with it." He did fill in the 5-B section, showing that he had lost about \$2,700 in property, consisting mostly of books, law books, and clothing.

[redacted] said that he was not in any way involved in the riots at Attica. He was in the "protective section" at his own request at the time of the riots. [redacted] definitely disapproved of the riots. He has served over ten years in the State Prison and was personally aware that there had been numerous beneficial changes in prison administration during that period. He feels that Commissioner OGBORN has been doing an excellent job, and he regrets that some inmates caused the riots. He does not believe these were based on prison treatment, but thinks they were planned as disruptive activity against "the Establishment."

Interviewed on 12/10/71 at Danmore, New York File # AL 44-691

by SA's WILLARD A. MC SHANE, JR./kar:kjn Date dictated 12/10/71
and [redacted]

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AL 44-691

[] said that he saw and suffered from a beating as a result of the riot, but feels that the actions of the correction officers and the State Troopers were entirely understandable as they had just seen a number of their associates killed and injured. [] said that he feels that he might have felt the same way and acted the same way if some of his inmate friends had been killed or injured.

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[] has built up quite a good library, including many law books, while in prison, and all of these books were destroyed during the riots. He would like to be reimbursed for these, his total property loss, for which he can produce receipts, amounting to about \$2,700.

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On the morning after the State Police and correction officers reassumed control at the prison, September 14, 1971, [] was ordered to go from his cell in the Protective Section downstairs to be handcuffed and loaded into the bus for transportation to Clinton Correctional Facility. He was one of the first to come downstairs and was pleased to be leaving Attica. As he came down the stairs, with his hands locked on top of his head, as required, he was smiling. A State Trooper saw the smile and said, "Here's one who's smiling", and a man hit me in the back with a shotgun and I went down on my knees. I was hit several more times and someone said, "Trooper, stop that". A Trooper later apologized for hitting me, saying that he had not known that [] was not ever involved in the riot. He would recognize this Trooper if he should see him or his photograph. He was about 6 feet 2 inches, over 200 pounds, dark blond hair, horn-rimmed glasses, late thirties or early forties.

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[] The files contain the following description of

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Name:	[]
Race:	White
Sex:	Male
Height:	72 inches
Weight:	150 pounds
Hair:	Brown
Eyes:	Blue
Tattoo:	[]

-3-

AL 44-691

Occupation: [REDACTED]
Social Security No. [REDACTED]
Military Service: NONE
Residence: [REDACTED]

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Mother:

Clinton No.:
Dannemora No.:
FBI No.:

[REDACTED] killing MARVANN LYND on

b6
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[REDACTED] Judge KELLY, Nassau

County Court, [REDACTED]
imprisonment. He will be eligible for parole on [REDACTED]

[REDACTED] declined to furnish a signed statement.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/14/71

[redacted] Clinton Correctional Facility, furnished the medical file of [redacted] which reflects that he was admitted to the hospital of that facility on September 15, 1971, [redacted] A Personal History form executed by [redacted] on September 16, 1971, stated that [redacted]

[redacted] Attica Correctional Facility; [redacted]

[redacted] "Inmate Statement: Hoarseness after he was struck in throat by a club on September 14, 1971". An X-ray on September 16, 1971, indicates evidence of a chipped fracture of the right twelfth rib.

Medical and nurses records of his hospitalization were photocopied and set out hereinafter:

Interviewed on 12/10/71 at Dannemora, New York File # Albany 44-691

by SAs [redacted] EDWARD A. MC SHANE, dictated 12/10/71
JR./kar

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/14/71

[redacted] was interviewed at Clinton Correctional Facility, Dannemora, New York, and furnished the following signed statement:

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[redacted] New York
[redacted]
"I [redacted] make the following free and voluntary statement to [redacted] and [redacted], who have identified themselves to me as Special Agents of the Federal Bureau of Investigation, United States Department of Justice.

"I was born at [redacted]
[redacted] In September, 1971, I was incarcerated at Attica Correctional Facility, Attica, New York; during the riot there, I was locked in "Protection" and was not involved in the riot in any way.

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b7C

"On September 14, 1971, the morning after the officers re-took the Attica Correctional Facility, I was ordered to leave my cell and strip to be searched. I stripped and dressed. I was then pushed down the stairs and told to "move". I ran, or jogged down a hallway which leads to the hospital. There were guards and State Troopers on one side of the hallway and inmates were sitting on benches on the other side of the hallway.

"As I ran along the corridor, someone tripped me but I did not fall. A Trooper hit me on the back of the head with a shotgun. This did not leave a bruise but I did have bleeding from my right ear on two or three occasions in the next few days. I was made to sit down on the benches. An officer made me sit to handcuff me and put leg shackles on me. He hit me on the back of the head with a club, and I was kicked in the privates and legs by officers. I could not identify the men who hit me because it all happened so fast.

"I remember that before I was brought downstairs, an officer held a club about an inch from my face and asked

Interviewed on 12/10/71 at [redacted] New York File # Albany 44-691
by SAs [redacted] EDWARD A. MC SHANE, Date dictated 12/10/71
JR. EAMIKAR

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AE-44-691

"me if I would like my face busted. He did not hit me. I might recognize his picture if I saw it.

"I then was handcuffed to another inmate and we were moved to Clinton Correctional Facility at Dannemora, New York. On the following morning, I was examined by a doctor; I believe it was the Chinese doctor. I told him I had been beaten and blood had come from my ear; that I had headaches and wanted to be hospitalized.

"He gave me one APC for the headache and I was keeplocked. Next day he came to my cell and I told him I had headaches. He gave me some pain killer pills. He told me to get bed rest.

"All the other men from Attica got full physical examinations except me. I have not yet had a full physical examination.

"I should be taking penicillin pills daily for rheumatic fever. I've taken these for over four years but am not getting them although I've told the doctors I need them.

"I am signing this because it is true and correct.

"Witnessed:

EDWARD A. MC SHANE, JR., SA, FBI, Albany, N.Y., 12/10/71
SA, FBI, Albany, N.Y., 12/10/71"

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The following description was obtained from observation and interrogation:

Name;
Sex;
Race;
Born;

Male
White

Height;
Weight;
Hair;
Eyes;
Education;

5 feet, 9 inches
145 pounds
Brown
Blue
Tenth Grade but in special group as reads at 5th grade level

AL 44-691

Marital Status: Single
Father:

Occupation:
FBI No.:
DCI No.:
Clinton No.:

[Redacted]

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The file reflects that on

[Redacted]

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[Redacted] On April 29, 1969, Judge EDWARD O.
PROVENZANO, Monroe County, New York.

[Redacted]

[Redacted] medical file at Clinton Correctional
Facility does not contain any entries after September 13,
1971, other than recommendation of aspirin or APC on two
occasions.

FEDERAL BUREAU OF INVESTIGATION

2

Date of transcription 12/15/71

Mr. WALTER DUNBAR, Executive Deputy Commissioner, New York State Department of Correctional Facilities, voluntarily furnished the following information:

On September 13, 1971, he was at the Attica Correctional Facility (ACF), Attica, New York, at the beginning of "Operation Recovery," wherein the New York State Police (NYSP) and other law enforcement agencies regained control of ACF from the inmates. About 9:46 AM on September 13, 1971, helicopters dropped gas on the facility and then the New York State Police and other law enforcement representatives went into the facility and commenced taking over control from the inmates. At the beginning of the operation, he was at the "A" block corridor gate. He spent no time in the galleries of "A" block, but spent most of the day on the corridor roof between "A" block and "Times Square." From this area, he observed much of the processing of the inmates from the "D" block yard to the "A" block yard.

During the obtaining of the recovery of ACF, and the processing of the inmates, the law enforcement officers involved exercised excellent self-discipline, judgment, and restraint, and responded to the commands of their superiors promptly and faithfully. At no time did he observe NYSP or Correction Officers line up inmates and beat them. If he did witness this he would have ordered it stopped immediately. He observed the officers use only necessary force to keep the processing moving, for example, pushing with hands.

Between 3:00 PM and 4:00 PM on September 13, 1971, he was escorting New York State Senator JOHN DUNN on the corridor roof showing him the processing of the inmates from "D" block yard to "A" block yard. He observed a young Correction Officer at the entrance to the "A" block galleries on the ground floor hit an inmate with a baton on the rump or back of the legs using words to encourage him to hurry up. Mr. DUNBAR ordered this officer to stop this practice at once. The officer did the same thing to the next inmate in line,

Interviewed on 12/15/71 at Albany, New York File # AL 44-691

by SA [redacted] /kju Date dictated 12/14/71

AL 44-691

2

and Mr. DUNBAR again ordered him to stop this practice. This time the officer stopped and apologized, explaining he was emotionally upset at the time. He was unable to further describe or identify this officer.

Mr. DUNBAR declined to furnish a signed statement.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN BUFFALO	DATE 12/20/71	INVESTIGATIVE PERIOD 12/14 - 17/71
TITLE OF CASE UNKNOWN SUBJECTS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY), NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA		REPORT MADE BY [REDACTED] 30	TYPED BY pal
		CHARACTER OF CASE CIVIL RIGHTS	

REFERENCE:

Bureau airtel to Buffalo, 12/7/71.
Buffalo teletypes to NY, 12/13 and 12/15/71.

- RUC -

ADMINISTRATIVE:

Persons contacted in this investigation were advised that it was being undertaken at the request of DAVID L. NORMAN, Assistant Attorney General, Civil Rights Division.

It has been determined that [REDACTED] is not identical to FNU [REDACTED], due to transposition of inmate number.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED _____
SPECIAL AGENT IN CHARGE

COPIES MADE:

- 1 - Bureau (44-50605)
- 3 - Buffalo (44-592)
- 1 - Albany (44-691) (INFO)
- 2 - New York (44-2086)

DO NOT WRITE IN SPACES BELOW

44-50605-126

18 DEC 28 1971

REC-60

EX-103

Dissemination Record of Attached Report

Agency	CRW		
Request Recd.			
Date Fwd.	12-29-71		
How Fwd.	6-94 C		
By	54 JAN 10 1972		

Notations

COVER PAGE

- A -

NY 44-2086

ADMINISTRATIVE CONT'D:

by Department of Justice. [] has been interviewed, but the results are not being included in this report. [] denied being injured or otherwise involved in the incidents at Attica.

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In view of the fact that both [] have been advised of the nature of this investigation and have steadfastly refused to respond to messages concerning an appointment for interview, no further effort is being made to contact them.

Info copy to Albany as they have investigation in this matter.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Date:

December 20, 1971

Office:

New York, New York

Field Office File #:

44-2086

Bureau File #: 44-50605

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Title:

UNKNOWN SUBJECTS,
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA

Character:

CIVIL RIGHTS

Synopsis:

NYS Senator JOHN R. DUNNE stated he observed men being beaten by Correctional Officers at Attica, but cannot recall the faces of any of the Correctional Officers. Inmate [redacted] claims he was forced to run a gauntlet at Attica. [redacted] refused to be interviewed.

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RUC -

DETAILS:

The following limited investigation was conducted in New York:

FEDERAL BUREAU OF INVESTIGATION

12/15/71

Date

~~Senator JOHN R. DUNNE~~, New York State, 1461
~~Franklin Avenue, Garden City, New York~~, advised as
 follows:

WITNESS

On September 13, 1971, at approximately 12:45 pm, he and Deputy Commissioner of Correction WALTER DUNBAR left the Warden's Office at Attica Correctional Facility and walked to the Cell Block A area. He observed a number of naked men in "A" yard who were being searched, hands over heads, and formed into a line which entered a doorway in "A" Corridor. He and DUNBAR walked up a stairway leading into a vestibule type room in the center of "A" Corridor, and upon arriving in the room, he could see down the "A" Corridor toward the entrance where the naked men were entering. He observed two lines of correction officers, in uniform, facing one another, holding clubs in their hands, and the naked men, upon entering the corridor, turned left and ran between the two lines while the correction officers struck them with their clubs. The clubs are the type carried by the correction officers and appear to be made of wood and about three feet long. After the naked men ran through the two lines, they turned right into the vestibule area.

Senator DUNNE advised that upon seeing the above, he turned to WALTER DUNBAR and said they were witnessing something which should not be taking place and DUNBAR immediately approached a correction officer and the procedure was stopped.

Senator DUNNE advised the distance covered by the running men was about 50 feet and he actually observed no more than ten or fifteen men running through the line. He advised he was so appalled by the sight that he instinctively averted his eyes and he cannot recall the faces of any of the correction officers in the two lines.

On 12/14/71 at Garden City, New York File # NY 44-2086
 by SA [redacted] JR. &
 JAMES T. MOLLOY/AEF/npa Date dictated 12/14/71

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FEDERAL BUREAU OF INVESTIGATION

Date 12/17/71

SA [] and SA [] identified themselves as Special Agents of the Federal Bureau of Investigation to [] at the Bronx House of Detention, Bronx, New York. SA [] advised [] that allegations had been made that he was beaten with clubs in a gauntlet line in front of Housing Block Z at Attica Correctional Facility, Attica, New York on September 13, 1971 while he was being taken to his cell as a prisoner at such facility. He advised that before he could say anything, he wished to contact his [] of the New York Civil Liberties Union at 65 Fifth Avenue, Manhattan, New York City, New York, telephone number []. SA [] then made arrangements with supervisory officials of the Bronx House of Detention to allow [] to call his attorney from the reception center at such institution. The officials telephonically contacted [] telephonically explained to his attorney what the Federal Bureau of Investigation wished to interview him about and this attorney telephonically advised SA [] that [] could be interviewed by the Federal Bureau of Investigation concerning the alleged beating, but no questions could be asked concerning the incidents at Attica proceeding the alleged beating.

[] advised SA [] and SA [] that he would not provide a signed statement concerning the beating but would answer questions concerning the beating and the facts leading up to the beating. He advised that he was a prisoner at Attica on September 13, 1971 and at about 10:30 am or 11:00 am, he was made to crawl across the yard of such institution, stripped of his clothes and then taken into Cell Block A. In such cell block, he, along with other prisoners was made to lie on the floor by Correctional Department Guards of Attica under the direction of Sergeant (First Name Unknown) [] of Correctional Department Guards at Attica. He and a number of other prisoners who were in the corridor of Cell'

On 12/16/71 at Bronx, New York File # NY 44-2086
 by SA [] rvs [] Date dictated 12/17/71

NY 44-2086

Block A were directed to run. They ran down the corridor through the electric gate that leads to the front of the prison, they then ran outside on a cement walk past the contingent of National Guardsmen and State Troopers and they then ran past the wire fence. He advised that past the wire fence, there was a gauntlet line of approximately fifty Correctional Department Guards. He advised that all the time he had been running from Cell Block A, he was accompanied by two guards who kept him running and that forced him to go through such gauntlet line where he was hit on the back, legs, elbow, thighs and the genital area. He said that the guards in the gauntlet line had used wooden clubs to hit him. He advised that he was again beaten by such guards as he went up the stairs to Housing Block Z and such beatings continued until he was placed into a cell in Housing Block Z.

He advised that he knows the names of some of the guards that beat him, but he will not supply such names because he has criminal action now pending against him. He advised that neither Sergeant [redacted] nor any State Troopers or National Guardsmen beat him. He further advised that he did not ask for any medical attention after such beating. He would make no comment on the extent of his injuries. He advised that he is a Muslim and has been confined in jail since 1965. He advised that he does not know when his trial in Manhattan Criminal Court concerning the riot at the Manhattan House of Detention, will begin. He will be defended in such court by Attorney WILLIAM KUNSTLER. He advised that other prisoners ran through the gauntlet line the same time he ran through it.

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NY 44-2086

The following investigation was conducted
by Special Agent (SA) [redacted]

On December 14, 1971, investigation at
[redacted], New York, determined
one [redacted] resides at this address in [redacted]
Efforts to make contact with [redacted]
[redacted], same date, were unsuccessful.

On December 14, 1971, [redacted] telephonically
contacted captioned Agent, as a result of latter's inquiries
at above noted residence. It was explained to [redacted]
that an investigation was being conducted concerning alleged
Civil Rights violations at the Attica Correctional Facility,
and that the Federal Bureau of Investigation (FBI) wished
to interview him concerning allegations that he was beaten
by correctional officers on September 13, 1971, after the
retaking of Attica Correctional Facility. An appointment
was scheduled with [redacted] to appear at the New York Office
of the FBI at 9:00 a.m., December 15, 1971.

[redacted] failed to keep the appointment of December 15,
1971; he was recontacted later, on same date, and agreed
to appear at the New York Office of the FBI at 9:00 a.m.,
December 16, 1971. [redacted] failed to keep this appointment
as well.

On December 17, 1971, a return telephone call
was made to [redacted] 15 Park
Row, New York, New York, as a result of [redacted] previous
attempt to contact captioned Agent. [redacted] related after
being advised of the FBI's interest, that he has no objection
to having [redacted] interviewed. [redacted] stated that he
had a meeting scheduled with [redacted] December 17, 1971,
and that he would have [redacted] call the FBI before his
leaving [redacted] office. Later, on same day, [redacted]
called captioned Agent and advised that, contrary to his
advice to [redacted], latter stated that he did not wish to be
interviewed by the FBI.

NY 44-2086

The following investigation was conducted
by SA [redacted] at New York, New York:

On December 14, 1971, [redacted] New
York State Parole Office, 314 West 40th Street New
York City, advised that [redacted] resides at [redacted]
[redacted] New York.

On December 14, 1971, [redacted]
[redacted] New York,
stated that [redacted] was not home, but she would advise
him that the FBI wished to speak to him concerning his
eyewitness account of the shooting of an inmate at Attica
Prison.

On December 15, 1971, [redacted] was
telephonically contacted and she stated she spoke to her
[redacted] the evening of December 14, 1971 and told
him the FBI wished to speak to him. [redacted]
advised that [redacted]
[redacted] New York, and she did not know where he
presently was living.

On December 16, 1971, [redacted] was
again telephonically contacted at her home, telephone
number [redacted]. She spoke to [redacted] the evening
of December 15, 1971, and he told her that he did not
wish to speak to anyone about anything. [redacted]
furnished the name of [redacted]

[redacted] New York, telephone number [redacted]

[redacted] was telephonically contacted on
December 16, 1971 and advised of the FBI's interest in
speaking to [redacted] said he represented [redacted]

before a Federal Grand Jury [redacted]
[redacted]
[redacted]
[redacted]

NY 44-2086

[redacted] stated if the FBI succeeded in contacting [redacted] and he wished to talk to the FBI, [redacted] wanted to be present during any interview of [redacted] and would not allow [redacted] to make any statements which would tend to incriminate him.

[redacted] was advised by [redacted] of the nature of the inquiry by the FBI. [redacted] he did not want to speak to anyone. He also failed to respond to any of the messages left [redacted] to have him contact the FBI. His present residence is unknown and his attorney has been unable to contact him.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALBANY	OFFICE OF ORIGIN BUFFALO	DATE 12/22/71	INVESTIGATIVE PERIOD 12/17/71
TITLE OF CASE UNKNOWN SUBJECTS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY), NEW YORK UNKNOWN VICTIMS - INMATES OF ATTICA		REPORT MADE BY SA 	TYPED BY kd1 ^{b6} _{b7c}
		CHARACTER OF CASE CIVIL RIGHTS	

REFERENCES:

Bureau airtel to Buffalo dated 12/7/71.
Buffalo teletype to Albany dated 12/17/71.

-RUC-

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 1cc mg 2260
 2 - Bureau (44-50605)
 3 - Buffalo (44-592)
 (1 - USA, WDNY)
 1 - Albany (44-691)

44-50605-127	REC-110
30	REC-11
7 DEC 28 1971	
	EX-103

Dissemination Record of Attached Report

Notations

Agency	CRD			
Request Recd.				
Date Fwd.	12-29-71			
How Fwd.	6-94C			
By	EJM:ep			

54 JAN 20 1972

COVER PAGE A*

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, WDNV

Report of: SA [REDACTED]
Date: December 22, 1971

Office: ALBANY

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Field Office File #: 44-691

Bureau File #: 44-50605

Title: UNKNOWN SUBJECTS,
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK

Character: UNKNOWN VICTIMS - INMATES OF ATTICA

CIVIL RIGHTS
Synopsis:

[REDACTED], Negro male, DOB [REDACTED]
inmate number [REDACTED] and [REDACTED] Negro male,
DOB [REDACTED], inmate number [REDACTED] both incarcerated at
Great Meadows Correctional Facility, Comstock, N.Y., were
interviewed by Bureau Agents 12/17/71, re Attica riot.

[REDACTED] furnished signed statement advising: He was in
D Block Yard, a.m. of 9/13/71, when authorities sent
three helicopters overhead, one for observation, another
to dispense tear gas, and a third to direct inmates to
a doorway with hands over head and they would not be
harmed. While inmates proceeded as directed, New York
State Troopers from A and C Block walls fired shots; a
[REDACTED] was shot and believed killed.

Inmates were directed to A Block Yard where troopers
ordered them to crawl on stomach with hands crossed on
back of heads for one-half the length of yard in mud
about six abreast to point where troopers and guards
assembled; inmates ordered to stand, strip, and join
other prisoners in single-file line walking in the yard;
some inmates ordered out of line against walls and to
lie on tables or ground; inmates ordered to A Block
corridor where screams of men being beaten were heard;
inmates ordered to run gauntlet of troopers through a
Block corridor while being clubbed, tripped and cursed
at, by troopers whose name plates were covered. [REDACTED]

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AL 44-691

claims he was hit five or six times on back, stomach and legs but cannot identify any of troopers who numbered about 50. Inmates then ordered upstairs to 10 company to another gauntlet. Floors were wet and contained broken glass.

[] slipped running here and trooper struck him hard with a club. [] claimed he begged trooper not to hit him again but he was hit anyway. [] finally managed to run to cell 30. Trooper had name plate covered and was white male, 28 - 30 years of age, 5'10" - 11" tall, 175 lbs., dark brown hair, light complexion. [] believes he would recognize him. [] said he was X-rayed by civilian doctor at Attica Prison 9/14/71, results unknown, and was given medication for dermatitis, which he had before the riot. No X-ray records located at Great Meadows.

[] states he was placed in A lot, cell unknown, after riot. Cellmate there was one, []

[] states he never saw this individual struck by anyone. No record of X-ray or medical examination of [] forwarded to Great Meadows from Attica. Records forwarded do show he was treated regularly before riot for eczematoid dermatitis, and some record information contained herein.

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AL 44-691

DETAILS:

This report contains the results of a limited investigation:

The following investigation was conducted by SA's [redacted] and the reporting Agent at Great Meadows Correctional Facility (GMCF), Comstock, New York, on December 17, 1971:

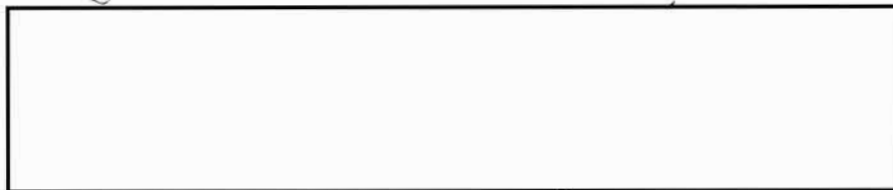
[redacted] GMCF, made available the files on inmate, [redacted] number [redacted] and [redacted] number [redacted]

The file on [redacted] indicates that his DCI number is [redacted] and he was received at Great Meadows on September 22, 1971, from Attica Correctional Facility (ACF). Attica, New York. He is also known as [redacted] [redacted] was sentenced on [redacted], by Judge O. N. GALE, Onondaga County, N.Y. [redacted]

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[redacted] There were several counts in the indictment and he was sentenced to [redacted]

AL 44-691



[redacted] is described as follows:

Complainant

Race:

Negro

NY

Sex:

Male

Date of Birth:

Place of Birth:



Height:

5'9"

Weight:

154 pounds

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Hair:

Black

b7C

Eyes:

Maroon

Education:

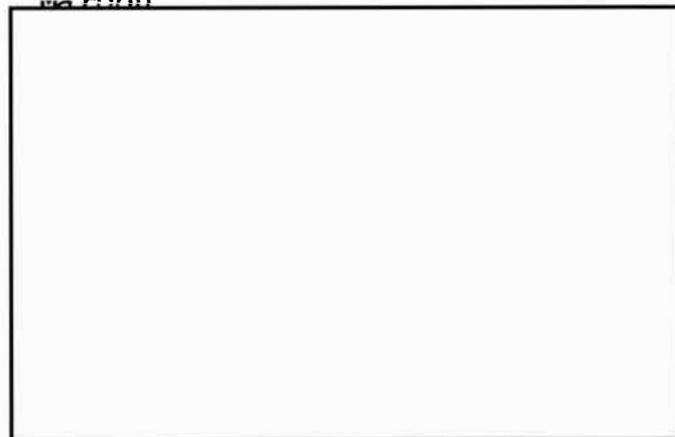
Occupation:

Former Employer:

Social Security #:

Former Residence:

Sister-in-law:



A review of [redacted] medical file did not indicate that he had been X-rayed or examined for a possible rib fracture at either ACF or GMCF.

Portions of his file are enclosed hereinafter.

10

8-16-71

Dear Sir:

I have a medical problem which I believe would need your expert judgment. I would appreciate an interview with you at your earliest convenience.

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AL 44-691

[redacted] also made available the file for [redacted]
[redacted], whose DCI number is [redacted]. He is also known
as [redacted]. He was trans-
ferred on September 18, 1971, from ACF to GMCF. The file
describes [redacted] as a Negro male, age [redacted], Date of Birth
[redacted]

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 12/22/71

[redacted] was interviewed at the Great Meadows Correctional Facility, Comstock, New York. The interviewing Agents properly identified themselves and told him that he was being interviewed at the request of the Civil Rights Division, U. S. Department of Justice concerning a possible injury received by him from people in authority at the time of the inmate riot at the Attica Correctional Facility, Attica, New York, during September, 1971.

[redacted] furnished the following signed statement in this regard:

"12-17-71
"Comstock, N.Y.

"I [redacted]
with a high school equivalency diploma, make the following signed statement to Special Agents of the F.B.I. [redacted]
They have identified themselves to me as Special Agents, FBI, with their credentials.

"Between 9:30 and 10:00 a.m. on 9-13-71, the fourth day of the inmate riot, at Attica State Correctional Facility, where I was an inmate, I was in the D block yard. I was located along a wall, very close to the temporary field hospital, set up by inmates, in a corner of the yard. I was laying on the ground as the authorities had sent over a helicopter for observation of the inmates. Shortly after it went over, another helicopter came over. It dispensed tear gas. I got on the ground, next to the wall, as to not be bothered as much by gas. Then, shortly afterward, another helicopter came over and a man's

Interviewed on 12/17/71 at Comstock, N.Y.

File # Albany 44-691
Buffalo 44-592

SA's [redacted]

by DVH/kdl Date dictated12/20/71

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AL 44-691

Buffalo 44-592

2

"voice warned the D block yard inmates to put their hands over their heads and come out of the yard, by going to the D block doorway. If they did this they would not be harmed.

"Around the same time the helicopter came around, shots were being fired from the A and C block walls by New York State troopers. The shots continued after the warning.

"I got off the ground, put my hands on my head, and moved quickly to the D block doorway. As I walked quickly, the man in front of me was felled by shots. I think he was killed.

"After coming through the doorway, and down the steps, we entered the A block yard. Troopers in that yard ordered us to crawl on our stomachs straight ahead, with our hands crossed on the back of our heads. We were ordered to keep our heads down. It was impossible, almost, to move in this way, especially with the mud. We crawled half the length of the yard, about 6 abreast, until we got to a point where there were guards and troopers assembled. A lot of these men were congregated there. At this location, we were ordered to stand, strip, and join a group of men who had already stripped and were walking single file in the yard.

"The state troopers and correction guards observed us all closely, and pulled some men out of the line. They were told to spread their rectums and lean up against the wall. Others were told to lie on the ground or tables.

AL 44-691

Buffalo 44-592

3

"Meanwhile, I heard screams of men coming from the A block cells and corridor, which sounded like men were being beaten.

"We were then ordered to proceed single file through A block's corridor where a gauntlet, comprised of state troopers, on each side. At the end of the gauntlet were guards - both prison, and New York National. We were told to run the gauntlet and we were hit with clubs, tripped, cursed at, and called derogatory names as we ran. The troopers' name plates were covered up with black tape. I was hit 5 or 6 times on back, stomach and leg, with their clubs. I can't identify any of these men., and ran as quickly as I could as I was scared for my life. The gauntlet run was for about 50 or more feet, and there were probably over 50 men involved. It ran to the A block steps, where I was told to go upstairs.

"Upstairs, to 10 company, there was another gauntlet where we had to run again.

"There was water and glass on the terazzo floor. I slipped about half way through, and a trooper struck me on the back with a club. He hit me hard. I begged him not to hit me again. I was scared for my life. He said "get up nigger", and I got up. Then he hit me again. I finally managed to run to my cell which was number 30, in 10 company.

"The trooper who hit me was wearing his uniform, but had the name plate covered. He

AL 44-691
Buffalo 44-592

4

"was white, about 28 to 30 years of age, 5'10" or 5'11" tall, about 175 lbs., dark brown hair, and had a light complexion. I feel sure that I would recognize him if I saw him again.

"A day after, I told a civilian doctor, otherwise unidentified that my back hurt and I had other injuries. He ordered an X-ray, took me and about 5 others, to the hospital. My sides and back were X-rayed. I do not know the results. He also gave me medication for my skin problems from the gas.

"Before the riot, I was being treated in the prison for dermatitis, a skin infection, on the right side of my face. During the riot, the inmate doctor in the yard gave me medication for it. The tear gas aggravated it.

"I cannot specifically name anyone who witnessed my beating because I was moving so quickly and was scared.

"I have read the above statement of five and a part pages. It is true and correct. I have initialed and dated all corrections, and at the bottom of each page.

[redacted]

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"Witness: [redacted] Special Agent, FBI, 12/17/71.
[redacted], Special Agent, F.B.I., 12/17/71."

Additionally [redacted] furnished the following information:

AL 44-691
Buffalo 44-592

5

Most all of his personal property was lost or destroyed at Attica on September 13, 1971. While in the yard from September 9 to 13, 1971, he was located near the corner of the yard where the inmate-run hospital was operated. He was furnished medication for his dermatitis by an inmate who served as a doctor. He said that the hostages, who were guards, were fed and given mattresses and coveralls by their inmate captors. Prior to the riot he was a truck driver in the facility and was assigned to call 27, 32nd company, in C block located on the first floor. He did not know the name of the civilian doctor who X-rayed and examined him on September 14, 1971.

He said that the only indication of a physical beating which he took which was visible, was a faded 3" horizontal mark on his stomach as well as faded scars on the left leg and shin bone. These were viewed by the interviewing Agents and were observed to be faint and not susceptible to photographing.

[redacted] said that he had an attorney, [redacted]
[redacted] American Civil Liberties Union, 919 3rd Avenue,
New York, New York. He said he would advise his attorney of the fact that he has furnished a signed statement to the FBI in the event his attorney desired a copy of it.

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 12/22/71

The interviewing Agents contacted [redacted] inmate number [redacted] at Great Meadows Correctional Facility. The Agents properly identified themselves to [redacted] by exhibiting their FBI credentials. The Agents told him that he was being interviewed concerning any knowledge he had of a physical beating received by [redacted] an apparent cellmate of [redacted], following the September riot in the Attica, New York, Correctional Facility.

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[redacted] advised that he was an inmate there prior to and during the above-mentioned riot and he was transferred on September 18, 1971, to Great Meadows.

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[redacted] said that he was assigned to [redacted] prior to the riot, which began on September 9, 1971. He was alone in the above cell. After the riot on September 13, 1971, he was assigned to [redacted] company, cell number unknown with two other individuals. One was a white male and the other was Spanish. One of these individuals was named [redacted] (last name unknown), who was serving a [redacted] sentence. About 3 a.m. on a date believed to be September 17, 1971, one guard and one New York State trooper came to the cell and searched both [redacted]. Neither one was hit or physically abused by either the trooper or the guard. [redacted] said he did not see [redacted] struck at any time while they were together in the Attica Correctional Facility.

Interviewed on 12/17/71 at Comstock, N.Y. File # Albany 44-691
SA's [redacted] Buffalo 44-592
by DVH/kdl Date dictated 12/20/71
15*

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 12/21/71	INVESTIGATIVE PERIOD 12/9 - 20/71
TITLE OF CASE UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York; UNKNOWN VICTIMS - Inmates of Attica		REPORT MADE BY THOMAS M. SHAUGHNESSY	TYPED BY :sal
		CHARACTER OF CASE SUMMARY PUNISHMENT CIVIL RIGHTS	

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b7C

REFERENCES: Bureau airtel to Buffalo, dated 12/7/71.
Report of SA THOMAS M. SHAUGHNESSY, dated 10/27/71 at Buffalo.

- C -

ENCLOSURES

TO BUREAU

Two (2) photographs of ELLIOTT JAMES BARKLEY taken upon his admission to Attica Correctional Facility (ACF).

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 4 - Bureau (44-50605) (Encs. 2)
3 - Buffalo (44-592)

ENCLOSURE 44-50605-128

30
5 DEC 22 1971

REC-110

ICC:CRU

Dissemination Record of Attached Report

Agency	CRU			
Request Recd.				
Date Fwd.	12-29-71			
How Fwd.	6-94C			
	EJM 6-1	JAN 19 1972		

Notations

STAD SECT.

COVER PAGE

BU 44-592

ADMINISTRATIVE

Three copies of this report have been designated for Buffalo since it is possible that after the Civil Rights Division of the Department has reviewed the information in this report, requests for further investigation will be made at Albany, Buffalo and New York City.

No copy of this report has been designated for the USA, Buffalo since request for the limited investigation emanated from the Department. However, if the Department requests that the USA subsequently be furnished with a copy, the Buffalo Office will be in a position to furnish this copy.

All persons contacted in this investigation were advised that the investigation was being conducted at the specific request of the AAG DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: THOMAS M. SHAUGHNESSY
Date: 12/21/71

Office: Buffalo, New York

Field Office File #: 44-592

Bureau File #: 44-50605

Title: UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility (ACF),
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - Inmates of Attica

Character:

SUMMARY PUNISHMENT
CIVIL RIGHTS

Synopsis:

Numerous inmates of ACF, Attica, New York, interviewed. No additional medical reports located. Individuals who testified in inmates' Federal Court action interviewed. Facts surrounding the deaths of THOMAS HICKS and ELLIOTT JAMES BARKLEY, inmates, set forth. No recordings of police communications on 9/13/71 made.

- C -

ENCLOSURESTO CIVIL RIGHTS DIVISION
U. S. DEPARTMENT OF JUSTICE

Two photographs of ELLIOTT JAMES BARKLEY taken upon his admission to Attica Correctional Facility (ACF).

BU 44-592

TABLE OF CONTENTS

	<u>Page</u>	
<u>SECTION 1</u>		
A. CONTACT WITH INMATES INTERVIEWED BY MEMBERS OF THE GOLDMAN PANEL -----	6	
(1) [REDACTED] -----	7	
(2) [REDACTED] -----	8	
(3) [REDACTED] -----	9	b6
(4) [REDACTED] -----	10	b7C
(5) [REDACTED] -----	11	
(6) [REDACTED] -----	14	
B. LOCATION OUTSIDE BUFFALO DIVISION OF OTHER INMATES INTERVIEWED BY MEMBERS OF THE GOLDMAN PANEL -----	15	
(1) [REDACTED] -----	16	
(2) [REDACTED] -----	16	
(3) [REDACTED] -----	16	
C. ATTEMPT TO LOCATE ADDITIONAL MEDICAL RECORDS ---	17	
<u>SECTION 2</u>		
A. LOCATION OF JOHN DUNN, MEMBER OF SENATE OF NEW YORK STATE -----	19	
B. LOCATION OF WALTER DUNBAR, DEPUTY COMMISSIONER OF CORRECTIONS FOR NEW YORK STATE -----	21	
<u>SECTION 3</u>		
A. CORRECT IDENTIFICATION OF INMATES THOMAS HICKS AND FACTS SURROUNDING HIS DEATH -----	23	

TABLE OF CONTENTS (CONTINUED)

	<u>Page</u>
B. CONTACT WITH INMATES -----	27
(1) [REDACTED] -----	28
(2) [REDACTED] -----	29
C. LOCATION OF [REDACTED] IN NEW YORK CITY AREA -----	30

SECTION 4

A. CONTACT WITH FORMER INMATES -----	32
(1) [REDACTED] -----	33
(2) [REDACTED] -----	41
	b6 b7C

SECTION 5

A. CONTACT WITH INJURED INMATES -----	48
(1) [REDACTED] -----	50
(2) [REDACTED] -----	51
(3) [REDACTED] -----	52
(4) [REDACTED] -----	54
(5) [REDACTED] -----	57
(6) Charles B. Beard -----	58
(7) [REDACTED] -----	61
(8) [REDACTED] -----	62
B. LOCATION OUTSIDE BUFFALO AREA OF INJURED INMATES -----	64
(1) [REDACTED] -----	65
(2) [REDACTED] -----	66
(3) [REDACTED] -----	67

BU 44-592

TABLE OF CONTENTS (CONTINUED)

	<u>Page</u>	
<u>SECTION 6</u>		
A. CONTACT WITH INDIVIDUALS WHO TESTIFIED IN FEDERAL COURT ACTION INSTITUTED BY INMATES -----	68	
(1) [REDACTED] -----	69	
(2) [REDACTED] -----	77	
(3) [REDACTED] -----	77	
(4) [REDACTED] -----	78	
B. LOCATION OF TESTIFYING INMATES OUTSIDE BUFFALO AREA -----	82	
(1) [REDACTED] -----	83	b6
(2) [REDACTED] -----	83	b7C
C. FACTS SURROUNDING DEATH OF INMATE ELLIOTT JAMES BARKLEY, AKA L. D. BARKLEY -----	84	
(1) [REDACTED] -----	85	
(2) [REDACTED] -----	87	
(3) Arthur O. Eve -----	89	
D. ATTEMPTS TO OBTAIN MEDICAL REPORTS -----	94	
<u>SECTION 7</u>		
A. POLICE RADIO COMMUNICATIONS ON SEPTEMBER 13, 1971 -----	96	

BU 44-592

Details:

AT ATTICA, NEW YORK

BU 44-592

SECTION 1

A. CONTACT WITH INMATES
INTERVIEWED BY MEMBERS
OF THE GOLDMAN PANEL

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71- 1 -

[redacted], Inmate Number [redacted] was advised of the nature and purpose of the interview. He was furnished a Rights and Waiver form which he refused to sign. He stated that he would not talk to the Federal Bureau of Investigation (FBI) unless he had his attorney present.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and -7-
JOHN E. KING/JEK:pmg Date dictated 12/14/71

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b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71- 1 -

[redacted] Inmate Number [redacted] appeared at the interview room at the Attica Correctional Facility and was advised of the identities of the below named Special Agents of the Federal Bureau of Investigation (FBI). He immediately stated that he did not want to talk to the FBI.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-52
by SAs [redacted] and [redacted] JOHN E. KING/JEK:omg Date dictated 12/14/71

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b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/17/71

-1-

[redacted] Inmate Number [redacted] was explained the nature and the purpose of the interview. He was furnished a Rights and Waiver Form, which he refused to sign. He stated he would not submit to an interview without the presence of his attorney.

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Interviewed on 12/14/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and JOHN E. KING/JEK:cc -9- Date dictated 12/15/71

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b7C

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/17/71

[redacted] Inmate Number [redacted] was advised of the nature and purpose of the interview.

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He was presented with a Waiver of Rights Form, which he read and said he understood. He stated he desired to have his attorney present during the interview and would not discuss anything with the FBI without the presence of his attorney.

Interviewed on 12/16/71 at Attica, New York File # Buffalo 44-592

SAs JOHN E. KING and [redacted] /JEKscaw
by [redacted] Date dictated 12/17/71

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71- 1 -

[redacted] Inmate Number [redacted] was advised of the nature and purpose of the interview. He was furnished with a Rights and Waiver form which he refused to sign. He stated that he would not discuss anything with the FBI unless his attorney is present.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and JOHN E. KING/JEK:pmg Date dictated 12/14/71

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

[redacted] Correction Officer, advised that when he had sent for inmate [redacted] Inmate Number [redacted] had told the officer dispatched to bring [redacted] to the interview area that he did not wish to discuss anything with the Federal Bureau of Investigation (FBI).

[redacted] advised that there was a [redacted] by the name of [redacted] who was presently at the Attica Correctional Facility whom [redacted] believed had talked with [redacted] previously.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592

SAs THOMAS M. SHAUGHNESSY and
CARL E. UNDERHILL/CEU:pmg -12-

by _____ Date dictated 12/14/71

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

[redacted] advised he was a [redacted] for
[redacted] a Chicago, Illinois lawyer who represented

[redacted] said that he was a graduate of Columbia
University Law School, but has not yet taken the bar and did
not feel he could take it upon himself to permit interview of

[redacted] said that he did not know if [redacted]
had left the area to go back to Chicago as yet, but said
that he would try to contact him and have [redacted] call the
Buffalo Federal Bureau of Investigation (FBI) Office.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo
44-592
by SAs THOMAS H. SHUCHNETSKY and
CARL E. UNDERHILL/CEU:pmc -13- Date dictated 12/14/71

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71- 1 -

[redacted] Inmate Number [redacted] was advised of the nature and purpose of the interview. He was furnished with a Rights and Waiver form which he refused to sign. He stated he would not discuss anything with the Federal Bureau of Investigation (FBI) unless his attorney was present.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and JOHN E. KING/JEK:pmg Date dictated 12/14/71

-14-

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BU 44-592

B. LOCATION OUTSIDE BUFFALO
DIVISION OF OTHER INMATES
INTERVIEWED BY MEMBERS OF
THE GOLDMAN PANEL

BU 44-592

On December 9, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, furnished the following information:

[redacted] former inmate of ACF and [redacted]
[redacted] former inmates, have been transferred to the New York State Clinton Correctional Facility (CCF).

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BU 44-592

C. ATTEMPT TO LOCATE
ADDITIONAL MEDICAL
RECORDS

BU 44-592

On December 9, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, advised that he had searched the files of the following-listed inmates and could locate no further medical records pertaining to these individuals other than those that had been previously furnished to the FBI. Mr. COCHRANE specifically reviewed these records to locate if any information was available relative to any medical treatment of the below-listed individuals subsequent to September 13, 1971:



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b7C

The Albany Division has been requested to interview these inmates.

BU 44-592

SECTION 2

A. LOCATION OF JOHN DUNN, MEMBER
OF SENATE OF NEW YORK STATE

BU 44-592

On December 9, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, furnished the following information:

JOHN DUNN is a member of the Senate of New York State and resides in the New York City area.

On December 9, 1971, the New York Division furnished the following information:

New York State Senator JOHN DUNN has a law office at 1399 Franklin Avenue, Garden City, New York. Contact with this office reflected that DUNN was then in Upstate New York on "field work." DUNN was expected to contact his office that evening, at which time an appointment would be made to interview Mr. DUNN.

BU 44-592

B. LOCATION OF WALTER DUNBAR,
DEPUTY COMMISSIONER OF
CORRECTIONS FOR NEW YORK STATE

BU 44-592

On December 9, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, furnished the following information:

WALTER DUNBAR is the Deputy Commissioner of Corrections for the State of New York. Mr. DUNBAR's office is in Albany, New York.

On December 9, 1971, the Albany Division was requested to locate and interview Mr. DUNBAR.

BU 44-592

SECTION 3

A. CORRECT IDENTIFICATION OF INMATE
THOMAS HICKS AND FACTS SURROUNDING
HIS DEATH

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/17/71

EMMETTE COCHRANE, Chief Clerk, Attica Correctional Facility (ACF), advised that records of the Facility as caused to be checked by him, revealed that on September 13, 1971, there was no [redacted] in-carcerated at ACF. THOMAS HICKS, Inmate #26398, who died on September 13, 1971, was the only [redacted] to his knowledge involved in the riot.

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b7C

Interviewed on 12/14/71 at Attica, New York File # Buffalo 44-592

-24-

by SA CARL E. UNDERHILL:cap Date dictated 12/17/71

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/20/71

ANTHONY SIMONETTI, Assistant Attorney General for the State of New York, furnished the following information:

He is the individual directly responsible for the investigation of the events preceding, during and subsequent to the taking of Attica Correctional Facility (ACF) by the inmates on September 9-13, 1971.

A review of his files relative to the death of inmate THOMAS HICKS reflects the following information:

There was no inmate injured nor killed with the name of [redacted]. The only inmate injured and/or killed was THOMAS HICKS, who was identified as "P-19." THOMAS HICKS was killed in "D" yard of ACF within moments after the New York State Police (NYSP) retook the institution at 9:46 AM on September 13, 1971. THOMAS HICKS' body was found in "D" yard approximately 35 yards from "D" block and approximately 25 yards from the "D" tunnel catwalk.

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The institution was retaken by NYSP authorities under a massive assault. Immediately after the institution was retaken by the NYSP, an investigation was conducted relative to the location and cause of the deaths of individuals in "D" yard. There were 43 deaths resulting from the riot. Only one person, a Corrections Officer, WILLIAM QUINN, died before the retaking of the institution. Therefore, 42 corpses along with numerous wounded individuals were located in "D" yard immediately after the NYSP assumed control of the institution on the morning of September 13, 1971.

"D" yard had been bombarded with gas projectiles in order to handle the rioting inmates immediately preceding the retaking of the institution. This gas remained in the area for several hours after the institution was retaken. Investigation by officers of the NYSP immediately after the retaking was necessarily impaired by this fact. The officers were forced to wear gas masks in their crime scene search and were also primarily interested in maintaining security of the 1,281 rioting inmates in "D" yard.

Interviewed on 12/9/71 at Attica, New York File # Buffalo 44-592

-25-

by SA THOMAS M. SHAUGHNESSY:sal Date dictated 12/15/71

All possible investigative techniques, under the current situation, were utilized. All bodies of dead inmates and Correction Officers were charted. However, most, if not all bodies, were turned over by the officers handling the retaking to ascertain if the prone people were dead and if they might have weapons in their hands. Consequently, it was impossible to ascertain if a person had fallen on his face, on his back, or on his side, after being struck.

SIMONETTI's investigative organization has been conducting an exhaustive examination of all the facts pertaining to this case. Every convict in "D" yard, numbering 1,281, along with every officer of the retaking force, has or will be interviewed.

The investigation relative to the death of HICKS has shown that HICKS had a cutting instrument in his hands when the assault took place. However, over 1,500 different, homemade, cutting weapons were confiscated by the NYSP after the institution was retaken. The investigation has not placed a specific cutting weapon in HICKS' hands but several weapons were located in the immediate vicinity of HICKS' body.

There was a great deal of blood near HICKS' body. This blood was not analyzed or retained as possible evidence.

The projectiles removed from HICKS' body have been examined by the NYSP laboratory. They determined that the projectiles were from a .270 caliber weapon. These projectiles will be introduced as evidence in both the Grand Jury currently impaneled in Warsaw, New York and in any potential subsequent State trial.

SIMONETTI does not wish to break this chain of evidence by turning over these projectiles to any other investigative organization at this time.

BU 44-592

B. CONTACT WITH INMATES

FEDERAL BUREAU OF INVESTIGATION

-1-Date of transcription 12/17/71

[redacted] Inmate Number [redacted]
was explained the purpose and nature of the interview. He
was furnished with a Rights and Waiver Form which he refused
to sign. He declined to be interviewed without his lawyer
being present.

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Interviewed on 12/14/71 at Attica, New York File # Buffalo 44-592
SA s [redacted] and
by JOHN E. KING/JEK:cc -28- Date dictated 12/15/71

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/17/71

[redacted] Inmate Number [redacted] was explained the nature and purpose of the interview. He was furnished with a Rights and Waiver Form which he refused to sign. He stated he would not sign anything nor discuss anything without his attorney being present.

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Interviewed on 12/14/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and
JOHN E. KING/JEK:cc -29- Date dictated 12/15/71

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BU 44-592

C. LOCATION OF FORMER
INMATE, IN NEW YORK CITY AREA

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b7C

BU 44-592

On December 13, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, furnished the following information:

[redacted], former inmate of ACF, was paroled on [redacted] to the New York City area.

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On December 13, 1971, the New York Division was requested to locate and interview [redacted]

BU 44-592

SECTION 4

A. CONTACT WITH FORMER INMATES

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/15/71

[redacted] [redacted] [redacted] also known
as [redacted] voluntarily appeared at the Buffalo
Office of the Federal Bureau of Investigation and
provided the attached signed statement:

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Interviewed on 12/13/71 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] and SA [redacted]
[redacted] AMD:lmk

-33-

Date dictated 12/15/71b6
b7C

Buffalo, New York
December 13, 1971

RC I [redacted] make the following free and
voluntary statement to [redacted]
who have identified themselves to me as Special Agents of
the Federal Bureau of Investigation. I have been advised
of my Constitutional rights as set forth on an Interrogation;
Advice of Rights Form, as provided me by Special Agent
[redacted] I understand my rights; however, I decline to
sign the Interrogation; Advice of Rights Form, but do pro-
vide the following statement; no threats, promises or co-
ercion have been used against me.

I am a black male and was born on [redacted]

[redacted] where I completed
[redacted]

On [redacted] I was sentenced in New York
State Supreme Court, at Buffalo, New York, for a term of
[redacted]

[redacted] I was sentenced to the New York State De-
partment of Corrections on the same day and was assigned

RC

RC

to the Attica Correctional Facility, Attica, New York. I

was received at the Attica Correctional Facility on [REDACTED]

[REDACTED], where I served until [REDACTED] at which time I was released on parole.

On the morning of September 14, 1971, I was placed in [REDACTED] Cell, with another black male, [REDACTED] (phonetic). [REDACTED] has since been transferred to another correctional facility.

At approximately 12:30 AM, on September 15, 1971, [REDACTED] and I were lying on a bunk in [REDACTED] which we shared, as there was only one bunk in our cell, when I was awakened by loud talking and the slamming of doors along the gallery in 1 Company. Our cell was partially dark as the light bulbs had been removed and the only light entering our cell was that from the gallery lights. The evening had been quiet prior to this time. I heard a correctional officer asking someone in the gallery, "Who was fishing items into the gallery?" All the items in the cells had previously been pushed out into the gallery; and during the day, I had observed arms extending into the gallery from the various cells and the individuals taking items, such as cigarettes and socks, from the items located on the gallery floor. I heard an officer state [REDACTED]

RC

RC
cell number is unrecalled now, other than being in the 30 series.) I heard a door open but do not know what occurred as I did not and could not view what took place.

The officer continued along the gallery proceeding closer to my cell, continuing to question inmates as to who had been fishing and randomly requesting that various cells be opened.

[redacted] as one faces the gallery from the inside of [redacted] was occupied by a [redacted] (phonetic), and I overheard [redacted] being asked by the officer if he had been fishing. [redacted] had been shot during the securing of the facility on September 13, 1971, and he and his black male cell partner, name unknown, both told the officer no.

The officer then proceeded to [redacted] at which time I recognized by his uniform that he was a State correctional officer and who was accompanied by another State correctional officer and a State policeman. This correctional officer, first mentioned by me, asked me if I had been fishing, at which time I stated, "No, I wasn't fishing." He then asked [redacted] "Were you?" at which time [redacted] replied, "No." The correctional officer then hollered down the gallery, [redacted] I thereafter heard a click

RC

RC-
in the door to [] and this correctional officer entered my cell, with the other correctional officer and the State policeman remaining outside. At ~~this time~~^{the RC. RC} this correctional officer entered [] the State policeman drew his weapon. The correctional officer in my cell then proceeded to search the cell.

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He located some pills in a small paper cup above the cell door inside this cell, which had been placed there previously that day by [] Earlier that day, [] had told me that he had gotten the pills from the doctor for his headaches. The correctional officer asked, "Whose are these?" He then looked at the pills and threw them out of the door into the gallery. [] who has a speech problem, in that he stutters, stutteringly stated, "They're mine." The officer then placed both of his hands on [] chest, ^{RC-} grabbing his shirt, and pushed [] against the wall. He then asked [] "Where did you get them?" and [] stutteringly answered, "The doctor gave them to me." He then released [] stating, "Nigger, you better not be lying to me, cause I'm gonna check with the doctor."

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b7C

The officer then continued to search [] and lifted up the mattress on our cot, at which time he located

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b7C

a wire clothes hanger, straight, but hooked on both ends, and loosely attached to the springs. I had not seen this wire before and had not lifted the mattress at all since my entering the cell. The officer removed the wire, threw it out of the cell into the gallery, turned around, grabbed me by my neck with his left hand and pressed against my chest with his right hand, forcing me into a sitting position on the cot, and stated "I thought nobody was fishing." Maintaining his hold on me, as described, he banged my head against the wall three or four times, yelling, "Weren't you fishing, weren't you fishing, weren't you fishing?" I did not resist in any way.

He then released me and taking a flashlight out of his pocket, shined it into my eyes and said "I'm gonna remember your face," and then turning the light towards his face he said, "So you just better remember mine." He then walked out of the cell and slammed the door. There was no further conversation between us. My neck was hurting badly at this point. I previously had fractured my neck in the Erie County Jail, Buffalo, New York, on May 24, 1969.

At approximately 8:00 AM, on September 15, 1971 [redacted]

[redacted] was making his rounds at which time I told him my

RC

KC.

neck was hurting. [] asked me what happened and I explained to him that a guard had slammed my neck against the wall. [] gave me a handful of APC's and told me to take them. Approximately one week later, on a Wednesday, I believe, a black doctor from Buffalo, New York, whose name I do not know, was making the rounds and I told him about my neck hurting, and he arranged for me to have x-rays of my neck at the Attica Correctional Facility Hospital, which subsequently determined to be negative regarding any broken bones, which I may have received.

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I would describe the correctional officer who entered my cell as being a white male, approximately 38 years old, 6' 5" tall, 230 pounds, medium to heavy build, black hair, moderate sideburns. I do not know his name or his badge number, as he was not wearing a hat, and the badges are located on the officer's hats. I believe, however, that he may have been assigned to Attica from another correctional institution, as I had not observed him prior to the uprising or two weeks after the securing of the facility.

I would describe the correctional officer who remained in the gallery during the time described above as a white male, in his 40's, 5' 8" tall, 180 pounds, with dark brown hair. I do not know his name, and he also was not wearing a hat with his badge number on it.

KC.

K.C.

I would describe the State Policeman who remained outside [] with his weapon drawn, as a white male, 26 to 28 years old, six feet tall, 170 pounds, and sandy blond hair. I also do not know his name, although he was possibly wearing a name plate, but I did not observe the name on it. His State Police uniform had a "T" on the shirt collar.

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I believe I would recognize all three of these individuals, if I saw them again and might possibly be able to identify them through photographs.

R.C.
I have read the above statement consisting of this and 6 additional type written pages and have initialed each correction and page.
I now sign this statement, because it is true and correct to the best of my knowledge.

b6
b7CW. Th...
[]
[]

Special Agent, FBI, Buffalo NY 12/13/71
Special Agent, FBI, Buffalo NY 12/13/71

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/17/71

[redacted] Correctional Facility (ECF)
 Number [redacted] was interviewed at the facility in the Spanish
 language by SA [redacted] in the presence of SA
 [redacted]

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At the inception of this interview, [redacted] was
 advised of his rights by SA [redacted] and he was furnished
 an Advice of Rights form in Spanish, which he read and
 stated he fully understood. [redacted] said that although
 he will cooperate fully and freely speak with the Agents, he
 does not want to sign any forms nor provide any signed
 statements concerning the information he wishes to give.

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[redacted] said that he was transferred to the ECF
 around the beginning of [redacted] from the Attica
 Correctional Facility (ACF) [redacted]
 [redacted] and was assigned ACF Number [redacted]

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He continued that during the morning of September 9,
 1971, he was at the ACF and was stationed in Prison Block
 [redacted] which cell is located on
 the first floor of the block. At about 9:00 AM that morning,
 he was in the yard of [redacted]

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[redacted] which he
 had requested. He said he had been suffering from some sort
 of stomach trouble. While waiting in this yard, a general
 riot broke out within the prison and he immediately noted
 numerous prisoners running about and various guards attempting
 to control them. There were several guards in the area with
 guns and at their direction and in order to preserve his
 own safety, he entered the [redacted] building and went to
 his cell. He remained in his cell alone for about one half
 hour, at which time [redacted]

[redacted]

[redacted] said that after his arrival at [redacted]

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Interviewed on 12/15/71 at Elmira, New York File # Buffalo 44-592

by SA [redacted] and [redacted]
 [redacted] GJD:sl -41- Date dictated 12/17/71

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BU 44-592

-2-

and during the entire period, until police authorities regained control of the prison on September 13, 1971, he was assigned by the leaders of the riot as a "security man," guarding and taking care of the hostages. He said that he and about twenty or thirty black Muslims under the direction of Muslim inmate [] were so assigned to this guard duty.

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[] said that on the morning of September 13, 1971, the hostages were being held in "D" block yard all tied hand and foot and contained within an enclosure made of benches taken from the prison buildings. He recalls that after the helicopters flew over the prison and dropped tear gas, the State Police moved in to retake the institution. At this point, [] told him and the other Muslims guarding the hostages that the hostages should not be killed. As the police assault forces moved into the prison yard, he could hear general gunfire and he was partially blinded from the tear gas. Fearful that he would be shot, he dropped to the ground and laid amongst the hostages within the enclosure. He recalls that several minutes later a State Trooper armed with a shotgun came up to him and placed the barrel close to his head. At this point, several

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[] and remained there under command of the armed State Troopers. After about ten minutes, he joined a line of inmates who were directed by the officers to march in a line with hands on their heads out of "D" block yard toward the raised tunnel and more specifically the gate to same located at the southeast corner of the yard. Upon entering the tunnel, he removed all of his clothing as did the other inmates and was directed into "A" block yard through the gate leading to same on the other side of the tunnel from which he entered from "D" block yard. When he entered "A" block yard, he was directed to a line of prisoners who were commanded to crawl on their hands and knees in a long file around "A" block yard. After several minutes of this, he and the other prisoners were again directed to enter the same tunnel entrance which was located at the southwest corner of "A" block. Upon entering the corridor, he and the other prisoners, all stripped, were directed, with hands clasped on top of their heads, to proceed down the interior corridor within "A" cell block.

BU 44-592

-3-

He said that the interior corridor, about 85 feet long and eight to ten feet wide, was completely lined with Correctional Officers and some State Police. The officers were spaced about four feet apart down the entire length of this corridor, up the staircase and along the corridor leading to the cells on the second tier. He and the other inmates were directed to run through this line of officers and practically all the prisoners received blows with nightsticks and shoulder weapon butts. He pointed out that some of these blows were in a prodding and "hurry along" nature while others were full and vicious. He said he was struck numerous times in the side, and on the rear as he ran through this line with his hands clasped over his head. Because of the panic he felt during this entire situation, he could not recall names of inmates he saw being struck during this incident. He does recall that Correctional Officer [redacted] a white male, about 5' 7", 27-29 years of age, with black hair, was an officer he observed striking and prodding the inmates as they proceeded through this line. He advised he was not struck by this officer. He further recalls that Correctional Officer [redacted] a white male, 38-39 years of age, 170 lbs., 5' 8" or 5' 9", balding, was an officer he observed striking the inmates in this line and from whom he also received at least one blow from a nightstick.

[redacted] continued that he ran through the above line, having been struck numerous times, and was directed into a cell with two other inmates, black males, on the second tier of cell block "A". He remained in this cell without clothing and received small amounts of food until he was transferred to another cell in Company 1, "A" block around the afternoon of September 16, 1971.

[redacted] related that around 7:00 AM, September 15, 1971, he was in the "A" block cell with the two black inmates. Correctional Officers or State Police had provided a hose with running water to the inmates within their cell in that the water service in the prison had not yet been restored. The floor of the cell contained a great deal of water and [redacted] asked a State Police guard for a mop so he could clean up the water. This State Policeman said he would get some other guards and return. He came back in a minute or so with another State Policeman and a Correctional Officer.

One of the State Policemen opened the cell door and the other State Policeman and the guard entered the cell. The State Policeman asked who wanted to use the mop and he replied that he did. The State Trooper told him that it was okay and pointed towards the cell door. [] walked from the cell into the passageway in order to get the mop which was against the wall in the corridor. As he approached the nearby mop, the Correctional Officer and one of the State Policemen were standing on either side of it. As he was about to pick up the mop, the State Policeman hit a heavy blow in his left side with the butt of his shotgun. The other State Policeman who had opened the cell door then walked over and began to strike him in the stomach with his fists. This forced [] to bend over holding his stomach, at which time the Correctional Officer hit [] a heavy blow with his fist on the left side of his jaw knocking him unconscious to the floor. He stated when he regained consciousness after an unknown period of time, he was laying on the floor of his cell and the guard and State Policemen were not to be seen in the area.

[] said that he cannot identify the two black inmates who were within the cell with him and who were witnesses to this entire incident. He said further that he did not request any medical attention that day or the next morning (although he did feel that he should be examined for injuries because of this attack) in that he feels that to do so would place him in an unfavorable light and perhaps occasion a further beating by police authorities.

He said that about 1:00 PM, September 16, 1971, he was transferred to another cell within Company 1 in "A" block and that afternoon he and all inmates received medical attention. He told the unknown doctor who examined him that he had been beaten by prison officers having received blows to his body and his head. The doctor examined him and noted no broken bones or cuts. [] further pointed out that as a result of having been forced to crawl on his hands and knees in "A" block yard directly following retaking of the prison on September 13, 1971, his elbows and knees contained numerous small cuts and bruises. [] denied that he has suffered any permanent injuries as a result of the above, and stated there are no present marks or bruises on his body at the time of interview.

BU 44-592

-5-

[] provided the following description regarding the individuals who beat him on the morning of September 15, 1971:

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State Police Officer who opened gate
to cell -
white male
27-28 years
5' 10"
170 lbs.
Dark hair;

Second State Police Officer -
white male
blond hair
29-30 years
About 5' 10"
Muscular build

Correctional Officer who knocked him
out -
white male
About 30 years
5' 8"
160 lbs.
Muscular build
Pimples on face
Worked in Companies 1 and 6 after
retaking of prison and believes
this individual is called []

[] said that he believes he could identify the above-three individuals and would be willing to testify regarding the beating he received from them.

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[] said that he is eligible for release on parole in June, 1972 and would cooperate in any manner whatsoever with the FBI with the hope that such cooperation would be brought to the attention of State officials.

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The following description was obtained through observation and interview:

Name
Inmate Number

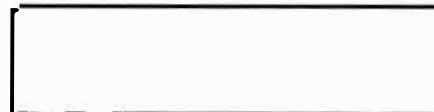
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BU 44-592

-6-

Date of Birth
Place of Birth
Nationality
Height
Weight
Hair
Eyes
Wife



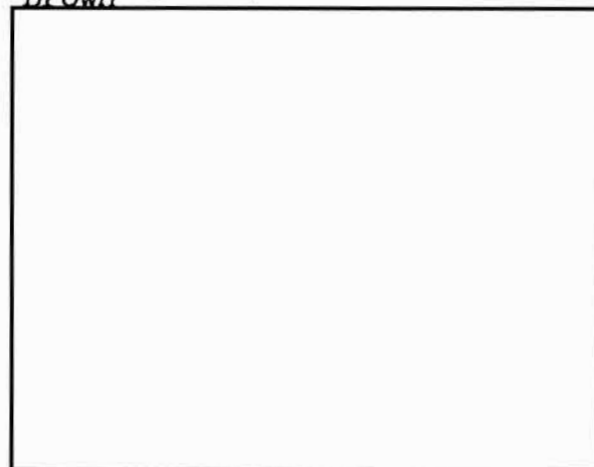
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5' 6"
145 lbs.
Black, thinning in front
Brown

Children

Father
Mother

Education



BU 44-592

-1-

On December 16, 1971, [redacted]
[redacted] Elmira Correctional Facility (ECF), Elmira, New
York, advised SA [redacted] the penal file of [redacted]
[redacted] ECF Inmate Number [redacted] reflects the following.
[redacted] was arrested by the New York City Police
Department on [redacted]
[redacted]
County Court, New York on [redacted] to an indeter-
minate sentence, maximum [redacted] years upon his plea of guilty
to a reduced charge of [redacted]

This incident involved [redacted] having shot to
death a man on the street with a gun.

[redacted] file reflects that he is not a user of
drugs and he has no prior arrest history. He has been
assigned FBI Number [redacted]

[redacted] originally went to the Sing-Sing Correct-
ional Facility, Ossining, New York on November 20, 1970;
was transferred to Attica Correctional Facility (ACF)
[redacted] and was transferred from ACF to ECF on

[redacted] is scheduled to meet the Parole Board
in [redacted]

[redacted] stated that [redacted] transfer from ACF
to ECF was shrouded in secrecy and although nothing official
appears in his penal file, it was reported to ACF authorities
that [redacted] had, in some unknown manner, been helpful to
Attica prison officials during the September, 1971 uprising
and the purpose of his transfer to the ECF was that it was
felt he would be safer at this institution because of
possible reprisals by Attica inmates.

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BU 44-592

SECTION 5

A. CONTACT WITH INJURED INMATES

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

[redacted] Correctional Officer, Attica Correctional Facility, advised that when he had dispatched Correction Officers to bring in [redacted] Inmate Number [redacted] [redacted] Inmate Number [redacted] Inmate Number [redacted] the officers had been told by these individuals that they had nothing to discuss with the Federal Bureau of Investigation (FBI).

[redacted] was requested nevertheless to have these individuals brought into the interview area for personal contact with FBI personnel.

Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs THOMAS M. SHAUGHNESSY and CAPT E. UNDERHILL/CEU:pmg -49- Date dictated 12/14/71

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

- 1 -

[redacted] Inmate Number [redacted] Attica Correctional Facility, was advised of the nature and purpose of the interview, [redacted] stated that he had no personal complaint to make nor could he furnish any information about any mistreatment to any other inmate and furthermore, he did not wish to become involved in anyway and he had no further information concerning anything that transpired during and after the trouble that occurred at Attica Prison. [redacted] stood up at this point and the interview was terminated.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs THOMAS M. SHAUGHNESSY and CARL E. UNDERHILL/CEU:pmg -50- Date dictated 12/14/71

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

- 1 -

[redacted], Inmate Number [redacted] Attica Correctional Facility, was advised of the nature and purpose of the interview. [redacted] stated that he did not wish to go any further, that he had nothing to discuss with the Federal Bureau of Investigation (FBI) and he would answer no questions or furnish any information at all.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs THOMAS M. SHAUGHNESSY and CARL E. UNDERHILL/CEU:pmg -51- Date dictated 12/14/71

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

- 1 -

[redacted] Inmate Number [redacted] Attica Correctional Facility, when advised of the nature and purpose of the interview, said that he had told the guards when they came for him that he had no reason to talk with the Federal Bureau of Investigation (FBI) and it was for this reason he had not wanted to come over to the interview area.

[redacted] stated that he had been sentenced on [redacted] at Buffalo and Erie County on a [redacted]. He is eligible for conditional release of [redacted]. [redacted] stated that after the State Troopers had regained control of "D" yard the inmates in the yard were funneled across "D" tunnel through the mid-tunnel doors and into "A" yard. In "A" yard, they were ordered to strip. He supposed this was necessary to prevent anyone from concealing anything in their clothing. They were then to go into the door of "A" tunnel and they proceeded through that portion of "A" tunnel into "A" block. During this run through half of "A" tunnel into "A" cell block, he was struck several times on the buttocks and the back and was jabbed at least twice with the night sticks of the officers. He said during this run from "A" tunnel into "A" block, he noticed that along the route there were both State Troopers and Correction Officers. He said he did not know which of the officers had struck him and he could not identify anyone. He stated he had been sore for sometime after being struck, but that when he was afforded X-rays, no broken bones or dislocations were discovered.

[redacted] said that since he could not identify anyone who had struck him, he saw no point in putting anything in writing and he did not wish to furnish any signed statement.

Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs THOMAS M. SHAUGHNESSY and
CARL E. UNDERHILL/CEU:pmg -52- Date dictated 12/14/71

BU 44-592

- 2 -

[redacted] is a Negro male who advised he was born
[redacted] North Carolina. He said he
is 6'2½" and weighs 186 pounds.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/17/71

[redacted] Inmate [redacted] was interviewed at the Attica Correctional Facility (ACF). [redacted] was orally advised by SA THOMAS M. SHAUGHNESSY of his rights and, thereafter, read, said he understood and signed the Rights and Waiver form.

[redacted] advised that he had been out in the yard lifting weights when the riot first started. He said there was no place to go and he was approached by a group of Negroes to move over into "D" yard, he did so because to have resisted the Negroes would have been stupid. He said that the white men who were actually involved in the riot had to be very few in number and he did not know what impact they would have had in connection with the riot. He said that of the white men that he was associated with, there were maybe thirty to forty who were "stand-up guys" who did not go along with the riot or the planners and as a result, were in considerable physical danger themselves. He pointed out that there were several of the white guys who were sympathizers with the Panthers and Muslims and that it was pretty tough to know exactly who could be trusted. He said the whites had tried to make some plans among themselves to either break out from under the Negro domination in "D" yard or at least to be able to protect themselves should the Negroes turn on their small group.

[redacted] advised that the situation in "D" yard had to be worse than war and he could not actually put the situation into words. He said the leaders among the Negroes were unbelievable. They did not seem to care for mother, father, children or anything. They were interested solely in some of their own fanatical beliefs and he did not even think that the uprising could be termed a riot but was more in the nature of the beginning of a revolution. He advised that the Negroes in the prison yard did not even act like men, they acted more like animals. He said these people were so anti-everything that "if they asked for a Cadillac and you gave it to them, they would break the windows out and ask you for a Ford." He said that they were so dirty and so lacking in human decency that "you could give them a new

-54-

Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592

SAs CARL E. UNDERHILL and THOMAS
by M. SHAUGHNESSY/CEU:cap/sal

Date dictated 12/17/71

BU 44-592

- 2 -

ESTHER WILLIAMS swimming pool and they would shit in it the next day."

[] said that he had never been so scared in his life as he was during those four days. He said he knew that when authorities came to retake the prison, they were not going to come in shaking your hand but he was stopped from saying too much about this by some of his friends who were afraid that he would be injured by the Negro revolutionaries. He said that the negotiating committee was trying to speak for all of the prisoners but that this was extremely ridiculous. He said those guys who were at that table haranging OSWALD and the other observers never once discussed any of those propositions with the general population in "D" Yard. He said it was his understanding that the prisoner HESS had been killed because, after the uprising had started, the guys in the yard were asked if there was anyone who did not want to go along with them and HESS stood up and said he did not want to. [] said after that he never saw HESS again and he learned that HESS' throat had been cut.

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[] said that he had not really known what to do, said he had a baseball bat and a football helmet but he did not know who he was supposed to hit and ended up sitting with his back to some of the white guys who felt they had to sit back-to-back in order to cover themselves and prevent the blacks from sticking them in the back.

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[] advised that when the first gas was dropped he knew that the law was coming in and he got down on that ground as close as he could. He said that when the firing had stopped, he tried to help a couple of guys that had got hit and then he was ordered as were all the prisoners, to go from "D" Yard to "A" Yard. They were stripped, searched and then told to run into "A" Tunnel. He said he had his hands behind his head as did all the other prisoners. As he went into "A" Tunnel and through it into "A" Block, he was hit several times. He said he did not know if he was hit by correction officers or the state police. He got a couple of blows in the ribs that hurt and he may have suffered a broken rib because it hurt for some time and he was given a rib belt to wear. [] said that he bore no

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BU 44-592

- 3 -

ill will against any of the correction officers or state police and he thought that the blows that the guys had taken on the day the riot ended were emotional releases and after what ~~everybody~~ had gone through, he really could not blame them. [] said that after this one experience, when they were being sent back from the cells into the yard, during the first little while after the uprising had been quelled, he had not been mistreated in any fashion nor had he seen anyone being beaten or mistreated physically. He said he personally had no mistreatment of any kind after that time.

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[] said that after spending the four days under the domination of those bad Negroes, that he was simply grateful to be alive, was glad that the whole mess had ended with him alive and hoped he never had to go through such a situation ever again in his life. [] said that he did not know the identities of any of the officers who had struck him, stating that he had been running and was looking where he was going and not looking at any of the faces of the officers. He further wanted only, at this point, to forget the whole situation like it was a bad dream, he did not know the identities of any other inmates who might have been hit nor did he know the identities of anyone that had witnessed him being struck. He said he just wanted to forget the whole thing, he wanted to put nothing in writing and did not, in view of his information, wished to furnish a signed statement. [] during the interview, was determined to be thirty-five years old, having been born [] He is 5'4 $\frac{1}{2}$ " tall, weighs 159 lbs., has brown hair and brown eyes. He wears glasses for reading purposes.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

[redacted] Inmate [redacted] Attica Correctional Facility (ACF), advised when he had been out in the yard during the Attica Prison riot, he had not participated in the uprising itself in any respect. He said that during the riot he had stayed in the yard with the group known as the "invalids." [redacted] stated his invalid status was due to a cancerous tumor having been removed from his throat about nine years before and he still went to the Cancer Unit at Roswell Hospital in Buffalo for monthly check-ups. He said it was his condition that caused the huskiness in his speaking voice. [redacted] advised that after the law enforcement authorities had regained control of Attica Prison, they were moved from "D" Yard to "A" Yard and then into "A" Tunnel and into "A" Block. During this movement he got hit once by a man from the State Police. This man was in a gray uniform and had a helmet on. He said he could not identify the officer nor did he know the identities of any of the prisoners who were moving in the group with him. He said that he did not even have glasses on at the time and he could hardly see further than the hand in front of his face. [redacted] advised that there has been no further physical mistreatment of any kind to him nor has he seen or heard of any mistreatment to any other inmates. [redacted] advised he knew of the kind of information he had and thought it was pointless to put it in writing and did not wish to furnish a signed statement.

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Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs CARL E. UNDERHILL and THOMAS M. SHAUGHNESSY/CEU:cap -57- Date dictated 2/15/71

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

CHARLES B. BEARD, Inmate #23341, Attica Correctional Facility (ACF), advised that he wanted it understood at the outset of the interview that he had no complaint to make against any officer whether it was a correctional officer or an outside officer. He had not been mistreated by any of them. He said he did get hit on the first day of the riot which was Thursday, September 9, 1971. He said that he, for a period of two to three weeks prior to the riot, had been having words with a prisoner by the name of [redacted]. After the riot started and before BEARD had been forced into the yard, [redacted] had a piece of what BEARD thought was some kind of electrical conduit, and he had hit BEARD a lick across the head on the left side. BEARD said that [redacted] had then run out into the yard, knowing that BEARD could not catch him out there. BEARD said he did not even go after him. He said [redacted] is a "nut" and it was his opinion that [redacted] had gone off his rocker for the third time during the riot.

BEARD said that he was a runner that day and had taken his worksheet back to the area of the power house. He was coming through Time Square and was not even aware that anything had taken place until he saw that some inmates had correction officers up against the wall in one of the tunnels near Time Square. He went on back to "A" Block where he was housed at that time. He said he asked other fellows in "A" Block what was going on and they said some guys started a riot. About that time some other inmates carrying iron pipes came through "A" Block and told BEARD and the others with him that they would go into "D" Yard if they knew what was good for them. BEARD said he was a diabetic and as a result, had quite a good food supply since on some days when there was too much starch in the diet of the prison food, he would not eat it and would go back to his cell and eat something from his supply in order to keep down his sugar. He had his "swag" bag loaded with food and so when the rioters told the other inmates

Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs CARL E. UNDERHILL and THOMAS M. SHAUGHNESSY/CEU:cap -58- Date dictated 12/15/71

to get into the yard if they knew what was good for them, he grabbed his swag bag and went over to "D" Yard. He said he had announced to some of his friends that he was going to look for a safe place to hole up and he and four others took one of the small cubicles in "D" Yard where guards normally stood.

BEARD advised that after the facility was retaken by authorities, the inmates were taken over into "A" Yard and he was placed with some other prisoners who were known diabetics. They were all stripped and ordered to lay down and then as their turn came, they were ordered to their feet and told to proceed through the door into "A" Tunnel from "A" Yard. This door is located approximately one-half way between Time Square and "A" cell block. BEARD said he was trying to observe what was going on and he tilted his head a little bit but he had thought it unwise to raise his head. He said he saw two or three guys that as they went into "A" Tunnel they got hit across the ass as they were going in. He said there was not enough room in the tunnel for them to get hit too hard and he could not tell who was doing the hitting. He said when he went in someone along the line said "these guys are diabetics" and no one hit them with anything.

BEARD advised that he is doing a term for Manslaughter, Second Degree and that he goes to the Parole Board on June 8, 1973.

During the course of the interview, it was determined that BEARD was a Negro male, 60 years of age, having been born March 28, 1911 at Humboldt, Tennessee. He is 5'7" tall and weighs 230 lbs.

BEARD said that since September 13, 1971, when he saw these two or three guys get hit, he had not witnessed nor had he heard of any physical mistreatment of any prisoners by any officers. He said there was some vocal harassment both ways but that was all.

BU 44-592

- 3 -

BEARD said that his information was of no value other than the fact that he had not been hit by an officer and he was not going to furnish any signed statement in that regard.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/17/71

[redacted] Inmate Number [redacted] was explained the nature and purpose of the interview. He was furnished a Rights and Waiver Form which he refused to sign. He stated that he would not discuss any matter with the Federal Bureau of Investigation unless his attorney was present.

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Interviewed on 12/14/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and JOHN E. KING/JEK:cc -61- Date dictated 12/15/71

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

- 1 -

[redacted] Inmate Number [redacted] was advised of the purpose and nature of the interview. He was furnished with a Rights and Waiver form which he read, said he thoroughly understood and signed in the presence of the Special Agents (SAs) of the Federal Bureau of Investigation (FBI) listed below.

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[redacted] said he was born [redacted] New York. He furnished his height as 5'9", weight 175 pounds and indicated he is in good health.

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On September 13, 1971, he was in "D" yard at the Attica Correctional Facility with approximately 400-500 other inmates of that institution. Approximately 9:36 AM that morning, the New York State Police and other Officers entered the yard and succeeded in restoring order. All prison inmates were moved into "A" yard where all inmates were stripped of their clothing. Approximately 1½ to two hours after the authorities gained control of the institution, the inmates were removed from "A" yard back into cells. He proceeded at the direction of the authorities, along with other inmates, into "A" corridor. Upon entering this corridor, he observed uniformed officers both of the New York State Police and the Attica Correctional Facility stationed in two rows, one on each side of the corridor, each row consisting of approximately 12 officers who were standing three to four feet apart. To the best of his recollection, each of these officers held a night stick in his hand. As he and the other inmates hurriedly moved through these corridors, he received blows from some of the officers' night sticks. He proceeded through "A" corridor up to the third floor of "A" block where he was put into a cell. In "A" block there were approximately four officers stationed on each flight of stairs with night sticks. However, he did not see any of those officers administer blows with their sticks. After entering his cell, he stated that he felt pain from the blows he had received from the officers' sticks. He estimated the number of times that he was struck at 13-14 times and he received these blows on his back side of his body from the back of his legs up to the

Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs [redacted] and JOHN E. KING/JEK:pmg -62- Date dictated 12/14/71

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mid-part of his back. He said one of the blows fell on his right front shin and one fell on his right hip bone which caused a slight laceration.

He said that he did not recognize any of the New York State Police officers or Attica Correctional Facility officers who were stationed in the "A" corridor or in the "A" block. He said he would be unable to identify any of those officers should he be given an opportunity to view them either in person or by photograph. He said that he knew of no individual who was a witness to the blows he received when passing through a corridor.

The following morning, that is September 14, 1971, at about 10:00 AM, a doctor accompanied by two other individuals who he learned were school teachers came through the "A" block area. He recalled that the doctor had a name tag on his chest indicating his name to be [redacted]. After making inquiries as to the extent, if any, of the injuries that he had received, the doctor examined his left side and stated that he could possibly have a rib fracture and that he should be X-rayed, whereupon one of the teachers made a notation to that effect.

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Subsequently, on a daily basis other doctors and medical teams passed through "A" block for a daily check of the inmates. After order was restored to the institution, [redacted] went to sick call at the institution hospital where he was X-rayed.

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On October 12, 1971, he returned to his work assignment in the metal shop at the institution.

He said he was never so glad to see anybody in his life as he was to see the New York State Police enter the "D" yard on the morning of September 13, 1971. He said the four days he had spent in that yard prior to September 13, 1971, were full of apprehension and concern for his physical safety and well being. He said he holds no hard feelings at all against the New York State Police or the officers of the Attica Correctional Facility or any of the authorities engaged in restoring order to the facility.

BU 44-592

B. LOCATION OUTSIDE BUFFALO
AREA OF INJURED INMATES

BU 44-592

On December 9, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, furnished the following information:

[redacted] former inmate of ACF, has been transferred to the Great Meadows Correctional Facility.

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[redacted] former inmate of ACF, has been transferred to Great Meadows Correctional Facility.

FEDERAL BUREAU OF INVESTIGATION

Date 12/17/71

[redacted] Attica
Correctional Facility (ACF), advised that the institution
records revealed [redacted] Inmate [redacted] had been
transferred from Attica to the Great Meadow, New York,
facility on September 22, 1971.

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[redacted] also advised that an inmate named [redacted]
[redacted], had been transferred from Attica to
the Great Meadow facility on September 18, 1971.

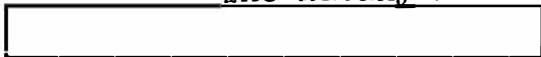
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On 12/16/71 at Attica, New York File # Buffalo 44-592
by SA CARL E. UNDERHILL:cap/faf-66- Date dictated 12/17/71

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

BU 44-592

The Albany Division has been requested to interview



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BU 44-592

SECTION 6

A. CONTACT WITH INDIVIDUALS WHO
TESTIFIED IN FEDERAL COURT ACTION
INSTITUTED BY INMATES

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/16/71

[redacted] also known as [redacted]
[redacted] was contacted at Room 258, Kenmore Mercy Hospital
where he is hospitalized for a back injury received
playing handball. [redacted] furnished the attached signed
statement.

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Interviewed on 12/15/71 at Town of Tonawanda, New York # Buffalo 44-592

by: S. [redacted] AMD:lmk

Date dictated 12/16/71

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-69-

Town of Tonawanda, New York

December 15, 1971

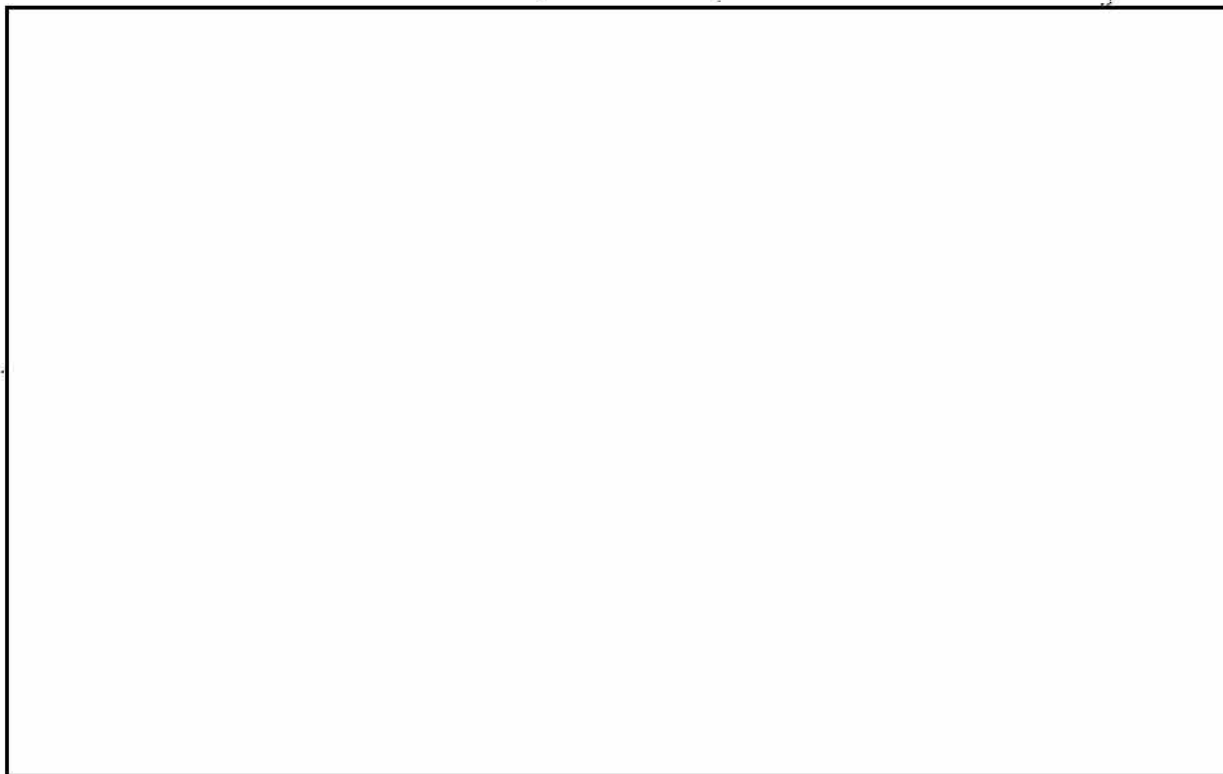
J.W.

I, [REDACTED] furnish the following free and

voluntary statement to [REDACTED]

who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. No threats, promises or coercion have been used against me.

I am a white male, born [REDACTED]



We arrived at the Attica Correctional Facility at approximately 9:45 AM on September 13, 1971 and remained J.W.

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J.W. outside of the facility until approximately 10:10 AM. At that time my squad was ordered into the facility and I set up my ammunition supply truck in the prison yard directly inside the outer wall of the facility in an area to the left of the Administration Building as one faces the front entrance to the building and approximately ^{J.W.}10 yards from a chain-linked fence topped with barb-wire, which separated the prison yard from a building approximately ^{20 J.W.}~~50~~ yards on the opposite side of the chain-linked fence.

From the time I entered the facility and set up the truck until approximately 11:00 AM, I was assigned the task of distributing ammunition to the company commanders of the battalion. It is my understanding that at the time I entered the area, the facility was again under the control of the prison administration following the insurrection which had occurred.

At 11:00 AM, I had completed my assigned tasks and had been assigned no further duties. At this point I was free to observe what was happening in the vicinity of my location. I observed groups of inmates completely stripped being marched from the front entrance to the Administration Building, down a sidewalk which runs parallel to the front of the Administration Building to the opening in the chain-linked fence near which I was located, through the fence and J.W.

J.W.

making a right hand turn up a sidewalk to the building, which was located approximately 30 yards from where I stood and described above. These groups of inmates were then marshalled into the building and out of my view.

Standing along the sidewalk inside the chain-linked fence and on the building side of the sidewalk were groups of correctional officers, numbering at times from as few as 5 or 6 to no more than 12 to 15, who continually yelled racial slurs and obscenities at the inmates as they were passing by and additionally utilizing nightsticks in their possession, struck the inmates on the shoulders, back,

buttocks and legs. ^{J.W.} In one specific instance, a black prisoner was beaten along the walkway so severely that he fell,

I am unable to identify any of these correctional officers by name or badge number and would not be able to identify them by photographic identification or if personally viewed by me. ^{whereupon he was kicked roughly brought to his feet again, and led into the building.}

In the area where the correctional officers were located, a number of prisoners had been carried on stretchers and had been placed in an area next to the chain-linked fence where they received no medical attention for about two hours.

I recall one particular situation where a Black inmate was moaning while lying in this area and when ordered

J.W.

J.W.

to get up by some state troopers, he did not and complained that something was severely wrong with his back. A doctor was summoned, whose identity I do not know, who turned the man over on his back, ripped his shirt, and after looking at the man stated that he was all right. The troopers then proceeded to prod the inmate and ordered him to get up. When he failed to do so, they half carried him to a truck and literally threw him into it. The man continued to moan during this time.

At approximately 2:00 PM, I was allowed to go to get something to eat, so I went to a tent set up by the Salvation Army in the immediate vicinity of the entrance to the Administration Building. I there engaged in a brief conversation with a state trooper, whose name I do not know and who I could not identify, and I made the comment upon hearing all the noise and confusion coming from both buildings, "Those guys are really taking a beating." The state trooper told me that this was not true, that the guards and law enforcement officers were banging their nightsticks against the walls to frighten the inmates and keep them under control as they were moving from one place to another. The state trooper then told me to go into the Administration Building and see for myself. I entered the Administration Building and went into the lobby

J.W.

J.W.

and started to go down the open hallway into the cell block areas but the tear gas was so strong that I decided against it. I went to a drinking fountain in the lobby, got a drink of water and while I was standing at the drinking fountain I observed some state troopers, whom I could not identify, leading a Black inmate out of the cell block area. They stopped in the lobby area at which time the troopers and others standing in the area made a number of racial slurs and obscenities to the inmate. The inmate was prodded with nightsticks in the troopers possession and being completely naked at one point prior to exiting the building, had a nightstick shoved into his rectal area. I then exited the building and returned to my duty station at the truck.

Upon my return to the vicinity of the truck, I was curious as to what was occurring in the building on the opposite side of the chain-linked fence into which the inmates were being led. I had continually heard banging and shouting and yelling throughout the duration of my assignment in that area and so I walked a few feet away from the truck in order to have a view into the entrance of the building.

Throughout the two periods of time I was in this area, I had overheard the correctional officers pointing out individuals in the group of prisoners that they recognized J.W.

J.W.

and informing others to the effect that "Here comes _____," the names of any of the prisoners I do not recall, at which time these prisoners were struck with the nightsticks as they walked past the group.

From this position I overheard a shout of "Here comes that fucking _____," I did not hear the name, which alerted many to the arrival of another prisoner. I observed some of the correctional officers who had been standing along the sidewalk inside the chain-linked fence rush into the building at this point. As the prisoner entered the building, I observed four or five correctional officers strike the man with their nightsticks about the body, at which time he dropped to his knees. ^{I J.W.} I further observed one or more of the correctional officers striking the man while he was down and kicking at him. ^{I J.W.} In addition, he observed another attack on an inmate in the building. After he had identified himself as a Muslim and after some verbal exchange had occurred between inmate and correctional officers, the inmate was struck with nightsticks about the body and was kicked at by the correctional officers.

None of the inmates I observed while at the Attica Correctional Facility are known to me and I could not identify

J.W.

^{S.W.}
any of them from a photograph^{S.W.} or could I identify any of them if I observed them personally.

I returned to the area of my truck and remained in that area until approximately 4:15 PM, at which time my unit was ordered out of the facility. ^{S.W.}

I have read the above statement consisting of this and six (6) additional type-written pages, I have initialed each page, addition and correction, and now sign this statement as it is true and correct to the best of my knowledge.

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Witnessed:

[Redacted]
Special Agent, FOI, Buffalo NY
[Redacted]
Agent, FBI, Buffalo, N.Y.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/15/71

[redacted] Correction Officer, Attica Correctional Facility (ACF), advised that when he personally went to get [redacted], Inmate [redacted] to bring to the interview area for interview by the FBI, [redacted] refused to leave the cell stating he did not wish to discuss anything with the FBI. When informed by [redacted] that he should convey this message to the FBI himself, [redacted] said he did not desire to get dressed, come downstairs and then come back upstairs just to tell the FBI he did not want to talk to them.

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[redacted] stated that when he went to get [redacted] Inmate [redacted] told him that he was not going to discuss anything with the FBI and he did not need to tell any FBI people that personally since [redacted] could convey the message to him.

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Interviewed on 12/14/71 at Attica, New York File # Buffalo 44-592

SAs CARL E. UNDERHILL and THOMAS
by M. SHAUGHNESSY/CFU:cap

Date dictated 12/15/71

- 77 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

[redacted] Attica Inmate Number [redacted]
Attica Correctional Facility (ACF), after having executed the
Rights and Waiver form advised that he was currently incarcerated
on a [redacted]

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[redacted] advised
that prior to the uprising at Attica he had served as the
[redacted] Since the uprising, he has been relieved
of that job. [redacted] said that when the riot first started
on September 9, 1971, he was in the reception area and was
not involved in any part of the uprising. He stayed in
the area for two days and there were about eight other
prisoners with him in the area. One of the other inmates
became panicky and hearing that the riotous inmates were
in the tunnels, became alarmed that the rioters would come
through the tunnels to kill those non-participants who were
in the reception area. These inmates became panicky and
it was necessary then for the facility authorities to send
them up to "C" Block which was in control of the prison
authorities. He spent the next two days in "C" Block and
then September 13, 1971 was also spent in "C" Block since
the prisoners were locked in all day.

[redacted] said that on September 14, 1971, since
he had not participated in the riot and since he was known
to many of the prisoners and guards, he was given a clean-up
detail in "C" Block. He was down on the first level and
was sweeping and swabbing and he was near the "C" tunnel
coming from Time Square. He said he could see perhaps
20 ft. into the tunnel from where he was standing when three
guys came down the tunnel. They were being prodded with
sticks and slapped on the ass and the back of their legs
and on their back. He said they were both black and white
inmates and he could not recall whether there were two
black and one white or two white and one black. He said
that he saw the first guy take two or three blows from the
nightstick. He does not know how many blows the second or
third guys took. When asked if he knew the individuals who
had been struck, he said no nor did he know the officers.

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Interviewed on 12/14/71 at Attica, New York File # Buffalo 44-592

SAs CARL E. UNDERHILL and THOMAS
by M. SHAUGHNESSY/CEU:cap -78- Date dictated 12/15/71

[] said that he did not know the date but he was on the work detail and worked maybe two days over in the "A" Block area. He never got in "A" Block itself but he was assigned to a wheelbarrow and he hauled stuff out of that area which could only have come from "A" Block. He said he did not know what criteria had been placed on the material that was to be hauled out. He said he later learned that material which was hauled out was that of a security nature as well as that material which had been pulled out by inmates and was not identifiable as to ownership. He said that normal books would be identifiable since they would bear a prison stamp and the name of the prisoner to whom it belonged. [] said that it was his opinion that some of the material which was hauled out could have and should have been saved but that he could understand perhaps part of the rationale of the prison authority as to security and more particularly as to the space problem since it was necessary to assign three men to a cell after "B" and "D" Blocks were rendered non-usable when the locking devices were destroyed in view of other general conditions there.

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[] continued that in this regard some of the material from "C" Block was also hauled out at least on the second level and from part of the second level.

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[] stated that on one other occasion he observed some physical harassment of inmates. He explained that he was asked if he wanted to work helping clean up "A" Yard and he said yes. So, he along with some of the other prisoners, whose identities he did not now recall, were sent down "B" Tunnel towards Time Square. When they were about two-thirds of the way from "B" Block to Time Square they were stopped as there were prisoners coming down "A" Tunnel towards Time Square and they were being sent to there, thereafter, through "C" Tunnel towards "C" Block. He said he would estimate maybe there were fifteen prisoners who were on the run and they were being prodded and "slapped on the ass" again by guys in "A" Tunnel. When the inmates reached Time Square they then proceeded at a slower pace into "C" Tunnel and were not harassed further. When the presence of his group was noticed by the officers in "A" Tunnel, they just seemed to melt away and were no longer

visible. [] said that he could not, due to the distance and looking through the bars, identify any of the officers nor any of the prisoners. He stated he did not know whether the officers were from the State Police or were Correction Officers. He said that it was his understanding that the State Police had stayed on the grounds at Attica for quite a few days after the riot was over. [] advised that he had not observed any physical mistreatment of any inmates since September 22, 1971. He said that there were, of course, other means of harassing prisoners but none of them was of a physical nature. He pointed out as an example that one guard might have a desire to shake some prisoners up by banging on the bars or on the wall. He said if you happen to be asleep in a cell when anybody banged on the bars of your cell or an adjacent one, it could be very unnerving. He said also that another means of harassment was just to withhold from the prisoners something they requested and he used the example of anyone who wanted a cup of coffee in the evening. He pointed out that there was no hot water in the cells and so the guards would bring hot water and if they had a gripe on at someone, they just would not give that inmate any hot water and he could do without his hot coffee. [] pointed out that as a matter of fact, there could be a lot of harassment both ways and the prisoners did, in fact, call the guards by many names.

[] reiterated that he could not identify any officers or inmates either for that matter and in either of the instances that he had described. He said that he would definitely if he could because he had gotten sore at the prison people because when stuff was removed from the cells, he lost some glasses and some hobby material. [] continued that since he could not identify the officers, inmates, nor did he have any idea as to which other inmates had witnessed anything he had seen, he saw no point in putting his information in writing and making a signed statement.

The following is a description as obtained through interview:

Name
Inmate #

--

BU 44-592

- 4 -

Sex
Race
Date of Birth
Age
Place of Birth
Height
Weight
Hair
Eyes

Wife

Male
White

A rectangular black box used to redact information, likely the date of birth or age.

5'10"
160 lbs.
Brown
Hazel

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A rectangular black box used to redact information, likely the wife's name or identifying details.

BU 44-592

B. LOCATION OF TESTIFYING INMATES
OUTSIDE BUFFALO AREA

BU 44-592

On December 13, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, furnished the following information:

[redacted], a former inmate of ACF, was transferred subsequent to September 13, 1971 to the New York City area in order to be available for trial. [redacted]

[redacted]
Tombs Prison in New York City in 1970.

The New York Office has been requested to locate and interview [redacted].

On December 13, 1971, Mr. COCHRANE advised that [redacted] a former inmate of ACF, was paroled on [redacted] to the New York City area.

The New York Office has been requested to locate and interview [redacted].

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BU 44-592

C. FACTS SURROUNDING THE DEATH OF
ELLIOTT JAMES BARKLEY, ALSO KNOWN
AS L. D. BARKLEY

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/71

- 1 -

[redacted] Attica Correctional Facility, advised that records of the Correctional Facility reveal that inmate BARKLEY, Inmate Number 25861, was received at Attica Correctional Facility on July 24, 1970 as a parole violator. His records further show that he was received under the name ELLIOTT JAMES BARKLEY, also known as L. D. BARKLEY and that he was born as ELLIOTT PRESCOTT.

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BARKLEY was transferred from Attica to Elmira Correctional Facility on October 16, 1970 and then was returned from Elmira to Attica on November 20, 1970. His records closed out with the notation, "Death - ~~November~~ ^{SEPTEMBER} 13, 1971."

[redacted] stated that BARKLEY had originally been sentenced on September 9, 1968 by Judge JOHN J. CONWAY, JR. from Monroe County, New York and had been sentenced to four years at Elmira Correctional Facility as a Youthful Offender. He was paroled on January 20, 1970 and then after he was declared a Parole Violator was sent to Attica as previously noted.

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[redacted] said the record indicated the following description for BARKLEY:

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Name	ELLIOTT JAMES BARKLEY
Aliases	L. D. BARKLEY, born as ELLIOTT PRESCOTT
Sex	Male
Race	Negro
Birth	March 1, 1950 Rochester, New York
Height	6'2"
Weight	168 lbs.

Interviewed on 12/13/71 at Attica, New York File # Buffalo 44-592
by SAs THOMAS M. SHAUGHNESSY and CARL E. UNDERHILL/CEU:pmg -85- Date dictated 12/14/71

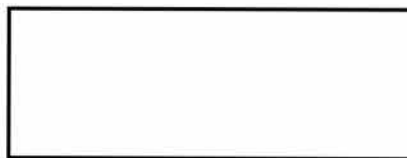
BU 44-592

- 2 -

Hair
Eyes
Religion
Military
Service

Black
Maroon
Muslim
U. S. Army
June 26, 1967 to November 22,
1967 (Undesirable Discharge)

Social Security
Account Number
Mother



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made available a photograph of BARKLEY.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/20/71

ANTHONY SIMONETTI, Assistant Attorney General, New York State, furnished the following information:

SIMONETTI reiterated the information that he had furnished relative to the retaking of the institution in relation to the death of former inmate THOMAS HICKS. The investigation by SIMONETTI's organization relative to BARKLEY's death reflects the following information:

BARKLEY's corpse was found in "D" yard approximately 15-20 feet from the southwest corner of that area. An inmate witness will testify before the local Grand Jury, currently impaneled in Warsaw, New York, to the effect that he saw BARKLEY with a bladed weapon when shot and killed. This inmate will then be transferred to another institution. His identity must remain undisclosed at this time in order to protect his life. Extreme precautionary measures have been taken to protect this inmate's identity along with the identity of a number of other inmates who will testify before this local Grand Jury.

Over 1,500 weapons were confiscated by the New York State Police (NYSP) in "D" yard after the retaking of the institution on September 13, 1971. None of these weapons have specifically been connected with the body of BARKLEY but several weapons were located immediately adjacent to his corpse.

SIMONETTI reiterated the fact that the crime scene search was conducted under extreme conditions. There were 42 dead bodies along with many other wounded prisoners and Correction Officers. The tear gas permeated the area for hours after the retaking of the institution. The primary issue was securing the prison and the secondary issue was ascertaining the exact position of the bodies.

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SIMONETTI's investigation has ascertained that [redacted] an ACF Correction Officer, saw BARKLEY hit by a bullet at approximately 9:46 AM on September 13, 1971. At this time, [redacted] was on the catwalk of "D" yard.

Interviewed on 12/9/71 at Attica, New York File # Buffalo 44-592

-87-

by SA THOMAS M. SHAUGHNESSY:sal Date dictated 12/15/71

BU 44-592

-2-

[redacted] left the catwalk and entered "D" yard in the next few minutes. At approximately 9:55 AM, [redacted] personally viewed BARKLEY's corpse. BARKLEY was lying on his back. BARKLEY had no visible wounds on the front of his body. [redacted] rolled BARKLEY over, saw a bullet wound in BARKLEY's back, and determined that BARKLEY was dead.

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SIMONETTI's investigation has further developed that [redacted] ACF, was in "D" yard shortly after it was retaken by the NYSP. [redacted] best estimate was that he was in "D" yard shortly after 10:00 AM on September 13, 1971 and personally viewed BARKLEY's corpse. [redacted] has advised SIMONETTI's group that he, [redacted], knew BARKLEY personally and administered the last rites to BARKLEY's corpse shortly after 10:00 AM.

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The investigation by SIMONETTI's organization has reflected that there was blood around the corpse of BARKLEY. No weapon was found in BARKLEY's hand but several bladed weapons were found immediately adjacent to BARKLEY's body.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/21/71

Mr. ARTHUR O. EVE, 14 Celtic Place, Buffalo, New York, was interviewed in the presence of Attorney [redacted] at the Buffalo Office of the Federal Bureau of Investigation. Mr. EVE had requested the presence of Attorney [redacted] stating that the policy has been adopted wherein in order to protect the rights of prison inmates in regard to the Attica situation, all interviews by investigating officials of witnesses such as himself will be conducted in the presence of their attorney.

Mr. EVE was advised by SA [redacted] that the FBI was conducting an inquiry into various aspects involving retaking of Attica Correctional Facility (ACF) and its aftermath.

Mr. EVE stated he is a New York State Assemblyman, having been elected to such office from Buffalo, New York.

Mr. EVE advised that from the time of the Attica uprising on September 9, 1971 until the retaking of the ACF on September 13, 1971, he was a member of the negotiating team who met with the inmates on a daily basis during this time. During the course of these negotiations, Mr. EVE's attention was closely drawn to one of the inmate negotiators, one L. D. BARKLEY. Mr. EVE said he had never met L. D. BARKLEY prior to these negotiations and to the best of his recollection, he so met him during same on six or seven occasions. He said BARKLEY was most notable in that he was a fine orator and one of the primary leaders of the inmate negotiating group. He stated that BARKLEY was one of the inmate negotiators who remained adamant in the case of several demands including a demand for transfer of the inmates out of the United States to a "non-imperialistic country."

He recalls he last saw L. D. BARKLEY during negotiations which took place within the ACF on Sunday, September 12, 1971.

Interviewed on 12/20/71 at Buffalo, New York File # Buffalo 44-592
by SAs [redacted] and [redacted]
[redacted] GJD: sal Date dictated 12/21/71

- 89 -

Mr. EVE continued that during the early morning hours of September 13, 1971, he and other members of the observer-negotiations group were in an office near the prison superintendent's office in the Administration Building of the facility. He and the others remained within this room during the period when State Police and other officers regained control of the prison, which assault lasted until shortly after 10:00 AM that day. Around 11:00 AM that morning, Mr. WALTER DUNBAR, Deputy Commissioner of Corrections, New York State, addressed Mr. EVE and the group providing them with a briefing regarding the specific results of re-taking of the facility. This briefing lasted about 20 minutes to a half hour at the conclusion of which Mr. EVE and members of the New York State Legislature, who were present at that time, were taken on a walking tour of the prison interior. This group of legislators included THOMAS LA FALCE, DOMINICK DI CARLO, JAMES MC FARLAND, HERMAN BADILLO, ROBERT GARCIA, a Mr. MC GOWAN, JAMES EMERY and several others. This group, led by Mr. DUNBAR, proceeded into the prison proper through "A" cell block and out onto the catwalk area, which is atop the raised tunnels which separate the four cell block yards. As the group was almost at the intersection of these four corridors (which is the section is known as "Times Square"), the group stopped and Mr. DUNBAR described to them the killing of hostages that morning at this "Times Square" intersection. As the group was standing there, Mr. EVE looked down into "A" block prison yard. He observed within the yard a group of about twenty inmates standing in a line naked with their hands clasped upon their heads. This group was located approximately in the center of the yard. He further observed four individuals clothed in prison garb lying on the ground of "A" block yard about ten feet from the raised corridor upon which he was standing and slightly to his rear.

As Mr. EVE looked at this group of four men, he estimated that the direct line distance to them from where he was situated would be approximately twenty feet. These individuals were lying with their heads near one another and their feet pointed outward, each person about 90 degrees from the other, thus forming a sort of "star." He particularly noticed one of these four individuals, the one with his feet pointing toward the Administration Building in a southerly direction, as being L. D. BARKLEY. He stated these four men were not moving and were lying on their stomachs. Because of

BU 44-592

-3-

the position in which BARKLEY was lying, Mr. EVE could only see the left side of his face and a portion of the back of his head. Mr. EVE could not state whether the other three individuals were black or white but he believes they were probably black. He could not recall if they were bound nor apparently injured in any manner but did state that BARKLEY could not have had his hands clasped upon his head because if he were to be in this position, Mr. EVE does not believe he could have seen any portion of his face.

While continuing to stand there and observing the above group of men on the ground, EVE advised that he asked WALTER DUNBAR if those men are prisoners and are they dead. Mr. DUNBAR replied to him that the men are definitely alive and that those four had been identified as inmates who had committed crimes against the hostages. EVE continued that he then directed the attention of fellow New York State Assemblyman ROBERT GARCIA (Bronx, New York), to these four men and stated to GARCIA to the effect, "There's L. D." He believes that GARCIA replied something to the effect, "How can you be sure, his head is pointed down."

In regard to his identification of the individual lying on the ground as being L. D. BARKLEY, Mr. EVE was asked whether he was positive of this identification to such an extent that if, theoretically, he were the victim of an attack and L. D. BARKLEY his assailant whether he would be able to make a positive identification in court based upon his viewing in above manner in the prison yard. Mr. EVE could not specifically reply to this question and stated, "To the best of my knowledge and belief, the person I saw lying on the ground was L. D. BARKLEY."

Mr. EVE continued that he was not aware that L. D. BARKLEY was reported as having been killed during the retaking of ACF until several days later when [redacted] was attending a black civil rights function in New York City. During the course of this function, he was advised that L. D. BARKLEY was reported killed during the assault upon the facility on the morning of September 13, 1971, at which time [redacted] related to those standing about him that this could not be so in that he had observed L. D. BARKLEY alive sometime around noon

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of that day in "A" yard of the prison. Mr. EVE said the above function was being given press coverage and through this incident, the press became aware of his reported viewing of BARKLEY alive and the inconsistency with official reports of BARKLEY's death.

Mr. EVE was questioned as to whether it has come to his attention through any manner whatsoever that any other individuals are in a position to furnish information regarding either the killing of L. D. BARKLEY or his being alive during the latter morning hours of September 13, 1971. Mr. EVE replied that only one individual has come to his attention in this regard and he related as follows:

About two or three weeks following September 13, 1971, Mr. EVE was being afforded a tour of ACF by a lieutenant and other officers of the guard, the purpose of this tour being so that he (Mr. EVE) could satisfy himself that the inmates were being properly treated. As he was passing through a cell block, an inmate known to him for years, one [redacted] called to EVE from his cell as they were passing. He told EVE in the presence of the prison lieutenant and the other officials, that he, [redacted] had seen L. D. BARKLEY alive. [redacted] did not furnish further specifics in addition to this statement.

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(At this point of the interview, [redacted] advised that he has been retained to represent inmate [redacted] and in the event any interview concerning the above situation is desired by the FBI, he requested that he be contacted beforehand. [redacted] said that during his next interview with [redacted], he will obtain [redacted] thoughts toward providing any such information. [redacted] further stated that as of the present time, [redacted] remains incarcerated in the special detention facilities at the ACF).

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Mr. EVE provided further information as follows:

While standing on the catwalk overlooking "A" block yard as described above, he further observed a naked individual lying on his back across a small brown table in

BU 44-592

-5-

the courtyard. This table was located ten or twelve feet from the corridor upon which EVE was standing directly to the north of the four men lying on the ground. The table was further located about midway between the four men and the northern extremity of "A" yard. EVE immediately recognized the individual lying on this table as being inmate [redacted] [redacted] had been the primary inmate escort for EVE and the other negotiators during their visits within the prison itself prior to retaking of the facility. He said that [redacted] did not appear to be injured in any manner but what struck him as odd was that as [redacted]

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[redacted] Mr. EVE was requested to comment as to any significance he placed upon this situation and he stated that he is at a complete loss to do so. He did state that [redacted] EVE said that he has seen [redacted] on several occasions since the retaking of the facility on September 13, 1971 and it has never come to his attention that [redacted] has been injured or complained of mistreatment at the hands of any officials.

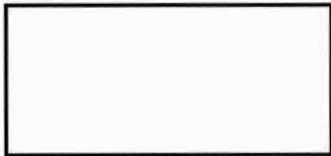
Mr. EVE was asked whether he could provide any information regarding any acts of brutality by any officials at the ACF, which he feels should be brought to the attention of the FBI at this time. Mr. EVE stated he could not do so.

BU 44-592

D. ATTEMPTS TO OBTAIN MEDICAL
REPORTS

BU 44-592

On December 9, 1971, EMMETTE COCHRANE, Chief Clerk, ACF, advised that he had searched the files of the following-listed inmates and could locate no further medical records pertaining to these individuals other than those records previously furnished to the FBI. Mr. COCHRANE specifically reviewed these records to locate if any information was available relative to any medical treatment of the below-listed individuals subsequent to September 13, 1971:



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BU 44-592

SECTION 7

A. POLICE RADIO COMMUNICATIONS
ON SEPTEMBER 13, 1971

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/20/71

Captain [] New York State Police,
furnished the following information:

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He was in command during the time from September 9 through September 13, 1971 when the Attica Correctional Facility (ACF) was taken over by the inmates. He was in command of the retaking of the institution by the New York State Police (NYSP) on the morning of September 13, 1971.

[] had requested authorities of both his organization and the New York State Correction Institution to have all radio broadcasts taped. However, there were so many other items taking priority that no taping nor recording of any of the radio communications on the morning of September 13, 1971 were made.

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Interviewed on 12/9/71 at Attica, New York File # Buffalo 44-592
by SA THOMAS M. SHAUGHNESSY:sal Date dictated 12/15/71

--97*-



44-50605-128

ENCLOSURE

File No. 44-592
 Date Received 12/10/71
 From
(NAME OF CONTRIBUTOR)
ACF Records
(ADDRESS OF CONTRIBUTOR)
Queens, New York
(CITY AND STATE)
 By Carl E. Underhill
(NAME OF SPECIAL AGENT)

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To Be Returned ☐ Yes
☒ No

Receipt given ☐ Yes
☒ No

Description: 1 double mag
photo of Elliott James
Barker, date # 25861

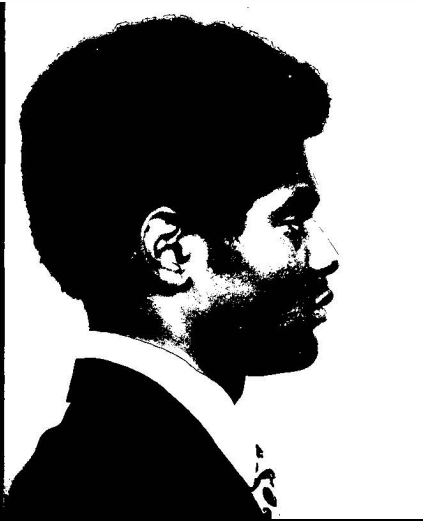
*2 photos sent Bu
 by Mr. Changchun
 dtd 12/21/71 at SFO
 SAE*

WARNING

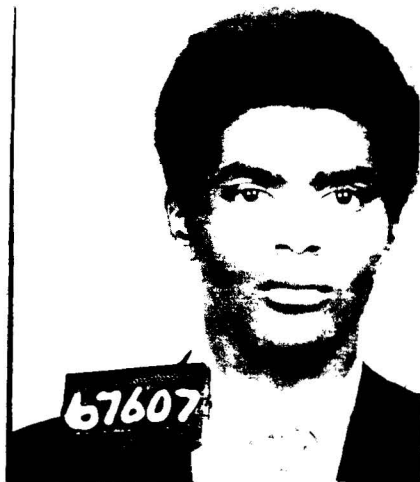
DOCUMENTS CANNOT BE SCANNED

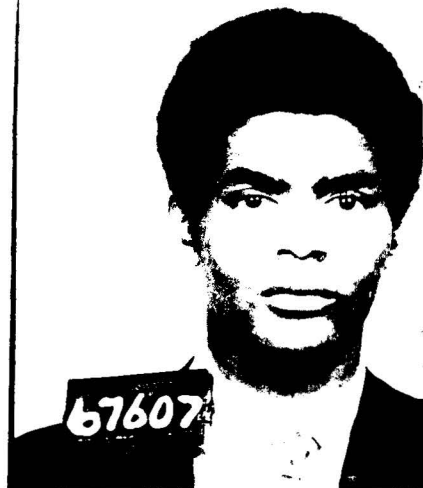
DESCRIPTION

NEGATIVES



Elliot Barbery T-25861







END

PARTIALLY SCANNED

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1260987-0

Total Deleted Page(s) = 2
Page 32 ~ b6; b7C;
Page 73 ~ b6; b7C;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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F B I

Date: 12/30/71

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED MAIL
(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO : DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (C)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - Inmates of Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

Rerep of SA THOMAS M. SHAUGHNESSY dated 12/21/71 at
Buffalo.

Enclosed for the Bureau are three copies, for New York
two copies, and for the information of the Albany Office one
copy, of an LHM dated and captioned as above. The Bureau may
desire to disseminate one copy of the enclosed LHM to the
Department.

- 2 - Bureau (Enc. 3)(AMRM)
- 2 - New York (44-2086)(Enc. 2)(AMRM)
- 1 - Albany (44-691)(Enc. 1)(Info)(AMRM)
- 2 - Buffalo

FBJ:afe
(7)

ENCLOSURE

16 JAN 7 1972

1cc CKW
CKB
1/4/72
694(7)
ggm/mdd

Approved: _____

Sent _____ M Per _____

55 JAN 12 1972
Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

December 30, 1971

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS, CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS

On December 30, 1971, United States Attorney H. KENNETH SCHROEDER, JR., Western District of New York, made available a copy of a complaint filed in United States District Court, Southern District of New York, in the case captioned "Inmates of Attica Correctional Facility, et al., Plaintiffs, vs. NELSON A. ROCKEFELLER; RUSSELL G. OSWALD, et al., Defendants," Civil Action File No. 71CIV5571. Notice of this action was received in Mr. SCHROEDER's office on December 28, 1971.

The relief sought by the action, in summary, includes the following:

- (1) A court order requiring New York State to appoint an impartial State Prosecutor and State Judge for an independent and impartial investigation and prosecution of the defendants in the action.
- (2) A court order pursuant to 42 U.S. Code, Sections 1987 and 1989, requiring the United States Magistrate and the United States Attorney for the Western District of New York to investigate, arrest, and prosecute the named defendants for violation of Section 18, U.S. Code, Sections 241 and 242.
- (3) To enjoin the defendants from administering the prison system of New York State and placing New York State prison system under Federal receivership.

There follows hereafter a copy of the complaint filed in this case.

This document contains neither
recommendations nor conclusions of the FBI.
It is the property of the FBI and is loaned to your agency;
it and its contents are not to be distributed outside your agency.

44-50605-129

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
INMATES OF ATTICA CORRECTIONAL FACILITY.

[REDACTED]
behalf of themselves and all other
persons similarly situated; [REDACTED]
Inmate of Green Haven Correctional
Facility, on behalf of himself and all
other inmates similarly situated.
[REDACTED]

[REDACTED] ALLEN DURHAM; ARTHUR O. EVE,
individually, and as Assemblyman;

Plaintiffs,

- against -

NELSON A. ROCKEFELLER, individually and
as Governor of the State of New York;
RUSSELL G. OSWALD, individually and as
Commissioner of Correctional Services of
the States of New York; WALTER E. DUNBAR,
individually and as Executive Deputy
Commissioner of the Department of
Correctional Services of the State of
New York; VINCENT R. MANCUSI, individually
and as Superintendent of Attica Correctional
Facility; [REDACTED] individually
[REDACTED] State Police of
New York; [REDACTED]
individually [REDACTED] State
of New York; ROBERT E. FISCHER, individually,
as Special Prosecutor and as Deputy
Attorney General; LOUIS LEFKOWITZ,
individually and as Attorney General of
New York; JUDGE CARMAN F. BALL, individually
and as a Judge of the State Supreme Court;
H. KENNETH SCHROEDER, JR., individually and
as United States Attorney for the Western
District of New York; EDMUND MAXWELL,
individually and as United States Magistrate
for the Western District of New York; HARRY
D. GOLDMAN, individually and as Presiding
Justice of the Appellate Division, Supreme
Court, Fourth Department; LOUIS JAMES,
individually and as District Attorney of
Wyoming County,

Defendants.

INDEX NO. 71 (lv 557)

COMPLAINT- CLASS
ACTION

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-----X
Plaintiffs, by their attorneys, as and for their
complaint, allege that:

JAN 18 1972
RECEIVED ORIGINAL-REMAIN
[Handwritten signature]

I. PRELIMINARY STATEMENT

1. This is a class action brought on behalf of inmates present at Attica Correctional Facility (hereinafter "Attica") on September 13, 1971 and other plaintiffs named herein, pursuant to 42 U.S.C. §1983; to compel the State of New York to institute criminal prosecutions against Nelson A. Rockefeller, Russell G. Oswald, Vincent R. Mancusi, Walter E. Dunbar, certain State Police, certain Corrections Officers and any other state officers who, on or about September 13, 1971, and continuing until the date of the filing of this complaint, committed, conspired to commit, or aided and abetted in the commission of crimes against inmates and guards at Attica, including murder, manslaughter, assault, menacing, reckless endangerment, and larceny. The duty upon the State of New York to prosecute the aforesaid defendants and other state officers guilty of crimes at Attica was annunciated in Inmates of Attica Correctional Facility v. Rockefeller, Docket Nos. 71-1931, 71-1994 (December 1, 1971) (Mansfield, J.).

Plaintiffs herein, in order to protect their civil rights, request this Court to require the State of New York to submit a plan for the independent and impartial investigation and prosecution of charges against defendants herein and other state officers who committed crimes against inmates and guards at Attica. The relief sought in this respect is comparable to that granted by Judge Judd in Valvano v. McGrath, 70 Civ. 1390 (E.D.N.Y., Nov. 11, 1971).

2. This action also seeks to compel federal prosecutions of the defendants and other state officers who, on or about September 13, 1971, and continuing until the date of the filing of this complaint, violated the criminal laws of the United States, 18 U.S.C. §§241 and 242, by depriving the inmates and guards at Attica of life, liberty and property without due process of law. This action seeks and order pursuant to 42 U.S.C. §§1987 and 1989 requiring the United States Magistrate and the United States Attor-

ney for the Western District of New York to investigate, arrest and institute prosecutions against the defendants and other state officers who committed federal crimes against the inmates and guards at Attica.

3. This action also seeks a declaratory judgment pursuant to 28 U.S.C. §§2201 and 2202 declaring that Nelson A. Rockefeller, Russell G. Oswald, Vincent R. Mancusi and Walter E. Dunbar are unfit to administer Attica and other prisons in New York State because, in administering the prison system and, particularly, in quelling the Attica uprising, they violated or aided and abetted in the violation of the civil rights of inmates and guards, in contravention of the Constitution and of 42 U.S.C. §§1983, 1985 and 1986. Further, this action seeks to permanently enjoin defendant Rockefeller and other defendants named herein from administering Attica and other State Prisons because of their continuing mistreatment of inmates, and requests that the New York State prison system be placed in Federal Receivership to protect inmates from further violations of their civil rights.

II. JURISDICTION

4. Jurisdiction is conferred on this Court by 28 U.S.C. §§1343(3) and 1361.

III. VENUE

5. This action is brought in the Southern District of New York pursuant to 28 U.S.C. §§1391(b) and 1392(a).

IV. CLASS ACTION ALLEGATIONS

6. Plaintiff inmates at Attica and other state prisons bring this action on their own behalf, and on behalf of all other persons similarly situated pursuant to Rule 23(b)(2), Federal Rules of Civil Procedure. Defendants have acted on grounds generally applicable to the class, thereby making appropriate final injunctive relief with respect to the class.

7. Plaintiffs represent a class of inmates who were present at Attica prior to and during the events of September 9-14, 1971. This class contains over 2,000 people. The number of people in the class is so numerous as to make joinder impracticable. This class contains two subclasses: those inmates still incarcerated at Attica and those inmates transferred after the uprising from Attica to Green Haven Correctional Facility.

8. Plaintiffs can fairly and adequately protect the interests of the class. Plaintiffs are represented by attorneys at the Center for Constitutional Rights who have experience in the area of constitutional litigation. Plaintiffs know of no conflicts of interest among members of the class.

9. Plaintiffs' claims are typical of the claims of the class. There are questions of law and fact common to the class, to wit: whether certain defendants committed crimes against inmates at Attica; whether these defendants and other state officers should be prosecuted for those crimes; and whether defendants Rockefeller, Oswald, Dunbar and Mancusi are fit to administer Attica and other state prisons.

10. The questions of law and fact common to the members of the class predominate over any questions affecting only individual members. A class action is superior to other available means for the fair and efficient adjudication of the controversy. Plaintiffs know of no interest of members of the classes in individually controlling separate actions. Plaintiffs know of no difficulties likely to be encountered in the management of a class action.

V. PARTIES

A. Plaintiffs

1. Plaintiffs

[REDACTED]
[REDACTED]
[REDACTED] are citizens of the United

States presently imprisoned at Attica. They had crimes committed against them by certain of the defendants and other officers of

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the State of New York. They sue on behalf of themselves and other inmates similarly situated.

12. [redacted] is a citizen of the United States presently incarcerated at Green Haven Correctional Facility. He was at Attica when the events alleged in this complaint occurred and was subjected to the criminal conduct of the defendants and other state officers. He sues on behalf of himself and other inmates transferred from Attica to Green Haven.

13. [redacted] is a citizen of the United States. [redacted] sues individually [redacted] Allen Durham, a citizen of the United States, who was murdered at Attica by reason of the wrongful actions of defendant Nelson A. Rockefeller and other state officers. She sues to compel prosecution of those defendants responsible for the murder [redacted]

14. Plaintiff Arthur O. Eve, a New York State Assemblyman, is a citizen of the United States, residing in Buffalo, New York. He sues individually, as a member of the State Assembly and as a member of the State Subcommittee on Prisons, to compel prosecution of the defendants and other state officers responsible for the commission of crimes at Attica.

B. Defendants

15. Defendant Nelson A. Rockefeller is the Governor of the State of New York. He is a citizen of the United States and a resident of Westchester County, New York. He is sued individually and as Governor.

16. Defendant Russell G. Oswald is the Commissioner of Correctional Services for the State of New York. He is a citizen of the United States with offices in Albany, New York. He is sued individually and as Commissioner.

17. Defendant Walter E. Dunbar is Executive Deputy Commissioner of the State Department of Correctional Services. He is a citizen of the United States with offices in Albany, New York. He is sued individually and as Deputy Commissioner.

18. Defendant Vincent Mancusi is the Superintendent of Attica. He is a citizen of the United States and a resident of Wyoming County, New York. He is sued individually and as Superintendent.

19. Defendant [redacted] Captain in the New York State Police. He is a citizen of the United States with offices in Batavia, New York. He is sued individually and in his capacity as an officer. He is also sued as a representative of all members of the New York State Police who took part in the Attica massacre.

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20. Defendant Louis James is the District Attorney of Wyoming County. He is a citizen of the United States with offices in Wyoming County. He is sued individually and in his capacity as District Attorney.

21. Defendant Robert E. Fischer is a Deputy Attorney General of the State of New York, appointed by Nelson A. Rockefeller as a special prosecutor. He is a citizen of the United States with temporary offices at Attica. He is sued individually and as special prosecutor.

22. Defendant Carman F. Ball is a judge of the New York State Supreme Court. He is a citizen of the United States and is now presiding over the Special Term of the Supreme Court in Wyoming County. He is sued individually and in his capacity as Judge.

23. Defendant H. Kenneth Schroeder, Jr. is the United States Attorney for the Western District of New York. He is a citizen of the United States with offices in Erie County. He is sued individually and in his capacity as United States Attorney.

24. Defendant Edmund Maxwell is a United States Magistrate for the Western District of New York. He is a citizen of the United States with offices in Erie County. He is sued individually and in his capacity as Magistrate.

25. Defendants

[REDACTED] New York

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State Police, Correction Officers, Troopers, or Sheriffs and Deputy Sheriffs. They were present at the time the acts complained of herein took place. They are sued individually, in their capacity as officers of the State of New York, and as representatives of all state officers involved in the Attica massacre.

26. Defendant Louis Lefkowitz is the Attorney General of the State of New York with offices in New York City. He is required under state law to remove from office and prosecute those state officers who have committed criminal acts. He is sued individually and in his capacity as Attorney General.

27. Defendant Harry D. Goldman, Presiding Justice of the Appellate Division, Supreme Court, Fourth Department, is responsible for the administration of the state court system in the town of Attica and Wyoming County. He is sued individually and as Presiding Justice.

have intentionally sub VI. CAUSES OF ACTION

A. Treatment of Inmates Prior to the Uprising.

28. Attica Correctional Facility, located in Attica, New York, is a maximum security prison, administered by the New York State Department of Correctional Services.

29. Defendant Nelson A. Rockefeller, Governor of the State of New York, is charged with the responsibility of overseeing the administration of New York State Prisons and has the duty of appointing the Commissioner of Correctional Services.

30. Russell G. Oswald, Commissioner of Correctional Services, and Walter Dunbar, Deputy Commissioner, are responsible for the management of the Department of Correctional Services. They formulate the policies and regulations by and under which the State Prisons are administered.

31. Vincent Mancusi, Superintendent of Attica, is responsible for the daily operations of Attica. . .

32. The aforesaid defendants have for many years, up to and including the present, intentionally subjected the plaintiffs at Attica and other State Prisons to cruel and inhuman treatment that bears no rational relationship to the purposes of incarceration, the protection of society and rehabilitation of the inmates.

This cruel and inhuman treatment includes physical abuse, beatings and tear gassing by guard; allowance of only one shower per week, failure to provide hot water in cells; a paucity of toilet paper and razors, poor preparation of meals as well as meals of pork in violation of many inmates' religious principles, inadequate library facilities, promulgating rules and regulations against the discussion of legal problems, deficient medical facilities, a lack of recreational facilities; a lack of occupational training, and the failure to make any meaningful efforts toward rehabilitation.

33. Defendants Rockefeller, Oswald, Dunbar and Mancusi

have intentionally subjected the plaintiff inmates to racial discrimination and inhuman isolation from their family, friends and lawyers.

Specifically, and in furtherance of this aim, they have:

a) confined the plaintiff inmates, 85% of whom are Black and Puerto Rican, to Attica which is located in an all white community,

b) employed only white Correction Officers, these officers physically abuse inmates and treat them in a racially discriminatory manner,

c) confined the inmates to Attica, a prison located over 400 miles from New York City where a majority of the inmates live,

d) intentionally confined the plaintiff inmates to Attica, a prison located in an isolated community, so that they are free to abuse the inmates without fear of detection and re-crimination; and

e) paid inmates wages ranging from 25¢ to 76¢ a day to work under unsatisfactory conditions, while the State of New York makes exorbitant profits from the inmates labor.

B. Attempts By Inmates to Change Conditions

34. In August of 1970, plaintiff inmates and the classes they represent, in an attempt to peacefully redress the inhumane conditions at Attica, went on a sitdown strike and refused to work until conditions improved. At the same time, the inmates filed a suit in the United States District Court for the Western District of New York claiming numerous violations of their civil rights by the defendants and their agents. Judge Henderson denied the inmates any relief, dismissed the suit and expressed anger at the inmates' refusal to work.

35. Next, the inmates at Attica formulated a petition in

July of 1971, listing 27 demands for improving prison conditions. The petition included requests for religious freedom, non-censorship of reading material, adequate medical treatment, and effective drug and other rehabilitation programs. The petition was signed by five inmates in whom the inmates of the prison had vested the power of negotiation regarding the settlement of the demands. The petition included a statement that no strike of any kind was contemplated in support of the demands, that the inmates wanted to negotiate in a democratic fashion and that there was no need to dramatize their demands. This petition was mailed to defendant Oswald and other defendants in July 1971. Defendant Oswald acknowledged receipt of the petition by a letter dated August 16, 1971, and promised to look into the conditions at Attica, but he and the other defendants made no effort to negotiate with the inmates or to implement any of the 27 demands. Thus, conditions at Attica remained the same. In fact, inmates who signed the petition subjected themselves to reprisals, as admitted by defendant Mancusi, who testified that the signers were being placed in segregation as fomentors of the uprising on September 9, 1971.

Plaintiffs, also, had no reason to trust any promises made by defendant Oswald or other defendants. Many inmates were veterans of the Auburn uprising where the State, after making many promises, did not, as even defendant Oswald acknowledged, carry them out. The inmates wanted concrete improvements in their conditions as they had been promised, but which were not forthcoming.

C. The Spontaneous Uprising

36. Many of the inmates, frustrated by the lack of any judicial or administrative action, and as a spontaneous reaction to the beating of prisoners by guards on September 9, 1971, took control of "D" Block and Yard at Attica. The inmates who signed

the petition were not part of the spontaneous uprising. Defendants, by failing to implement the inmates' reasonable demands and by continuing to allow guards to beat inmates, sparked and are responsible for the spontaneous takeover of the prison. The inmates took over the yard with the minimum force necessary. They immediately released eleven hostages because of concern for their health and requested a doctor to examine the remaining hostages. The inmates requested medical records for the remaining hostages to determine if there were histories of heart attacks or other conditions that might possibly cause complications to guards during confinement. Each hostage was assigned a personal guard to protect him from possible harm. The hostages were treated well, slept on double mattresses and had twice as much to eat as the inmates. At no time were any knives or other sharp instruments placed at the throats of any of the hostages. Any weapons they possessed were of the type that could only be employed in close combat, such as sticks and bats.

37. A few hours after taking control of the prison yard the inmates issued a list of 28 demands. These demands were similar to those previously sent, in July of 1971, to defendant Oswald and others. Defendant Oswald recognized the reasonableness of the demands, but, at first, refused to grant any of them. When members of the negotiating committee, who were citizens chosen by the inmates to negotiate with prison authorities, prevailed upon Oswald to grant many of the demands, he did so, but only in a narrowed form and even this was questionable, as the defendant most able to implement the demands, the defendant Governor Rockefeller, never agreed to any of them.

38. The defendants' unreasonableness and intransigence was highlighted by their treatment of the issue of amnesty for the plaintiff inmates. The inmates had employed, as was previously set forth, a number of means to get the State to implement what even defendant Oswald called reasonable demands. Instead of

recognizing their own fault in failing to respond to peaceful demands to improve conditions, defendants Rockefeller, James and Oswald unreasonably insisted upon reserving the right to prosecute those inmates who spontaneously arose in reaction to the inhuman conditions at Attica.

39. The granting of amnesty would have meant a peaceful end to the prison takeover. Knowing this, the defendants chose, by a flat denial of any form of amnesty, not to end the takeover peacefully, and instead chose a course of conduct which they knew would kill and injure scores of inmates and guards.

D. Governor Rockefeller Refuses to Come to Attica.

40. The inmates at all times remained flexible as to the amnesty demand. Despite this known flexibility, the defendants refused to react moderately, and unreasonably halted the negotiations prior to having explored all possible solutions. The continuance of negotiations for a few days would have saved numerous lives.

41. On Sunday, September 12, 1971, the inmates and the citizens committee made a formal request for Governor Rockefeller to come to Attica and meet with the Committee. The members of the Committee and the inmates felt that Rockefeller's presence would have meant a peaceful end to the takeover. But the Governor had already planned the brutal recapture of Attica, and, consonant with that plan, he criminally refused to exercise the option, going to Attica, that would have avoided the massacre. His insistence on remaining at his Westchester estate proved to be a significant contribution to the ensuing death and destruction.

E. Plan For Massive Lethal Attack

42. Defendants Rockefeller, Oswald, Mancusi, Williams and others, whose identity is presently unknown, formulated the

plan to storm Attica with a massive, indiscriminate and lethal use of power that they knew had to result in the murdering and wounding of scores of innocent inmates and guards. This massive use of force was employed against unarmed inmates. Such a lethal use of force was excessive and in violation of the laws of the State of New York and the United States.

The plan defendants formulated included the following men, weapons and ammunition:

a) Over one thousand fully armed men participated, including State Troopers, State Police, Sheriffs, Deputy Sheriffs, National Guardsmen and Correction Officers.

b) State Police marksmen armed with .270 caliber rifles and sniperscopes lined the roofs of cellblocks "C" and "A"; other State Police had 12-gauge pump shotguns loaded with heavy shells:

c) Additional weapons employed and indiscriminately used included .45 caliber submachine guns; .357 magnum revolvers; .385 special revolvers; M-14'S; AR-15 Army rifles, concussion grenades, CS gas launchers; bazookas; and three foot riot clubs;

d) Defendants intentionally ordered the use of bullets that would cause wounds far more serious than were necessary. Sharpshooters used .270 caliber expanding bullets that rip wide holes in human bodies, and the shells used in the shotguns contained 10 to 12 .32 caliber pellets, each pellet capable of killing a man. As shotgun blasts spread out indiscriminately, many inmates were unnecessarily killed or injured.

F. The Assault

43. The assault began with a massive and indiscriminate hail of bullets and buckshot. At the same time, about 10:00 A.M., on Monday, September 13, 1971, a helicopter began dropping tear gas into "D" Yard. Next, a force of armed State Police and

Correction Officers broke into "D" Yard indiscriminately firing their weapons and another force fired weapons from the catwalk overlooking "D" Yard.

44. During the first few minutes of the barrage the inmates had no chance to surrender, they were killed or wounded indiscriminately. And, as is demonstrated below, even after many surrendered they were maliciously gunned down.

45. As a result of this massive, lethal and indiscriminate attack nine hostages and thirty-two inmates were killed, most of them in the initial barrage. Hundreds of inmates were wounded. This massive assault against unarmed men constituted a criminal use of excessive force by officers of the State of New York.

46. Many of the inmates were killed and wounded not only as a result of the massive initial barrage but because of intentional acts of violence carried out by State Police, Troopers and Correction Officers. Examples of some of these wanton killings and woundings follows:

a) Sharpshooters on the walls, with Correction Officers assisting, picked off many of the alleged leaders. For example, 15 out of the 45 men in 5 Company, "A" Block, where the uprising began, were killed. Former leaders of the Auburn uprising were singled out by these sharpshooters and killed. These included inmates Hicks, Eliot, Plummer and Thomas;

b) Troopers and State Police knocked down tents in "D" Yard where inmates were hiding and fired weapons into the fallen canvas;

c) Inmates Buckley, Taylor and Thomas were killed by State Police and Troopers after untying hostages at the Troopers' directions,

d) Inmate Willie West was killed by a Trooper after he had surrendered and had his hands over his head;

e) An inmate was seen by one of the survivors standing unarmed with 5 or 6 other men holding a Black Power flag. He was

killed,

f) Within a few minutes of the gassing, inmates Baines and Fuller were picked up by Troopers from the ground and killed by the firing of numerous shots into their bodies at close range;

g) Inmate Sam Melville was seen 20 minutes before the attack, unarmed and not holding any bombs. He was later seen alive by an inmate in "D" Yard where he was forced to crawl. Soon after this, he was killed by officers of the State of New York,

h) Inmate Hicks was seen alive after the assault in "D" Yard, he was then seen alive on the ground in "A" Yard with his hands on the back of his head. He was then killed by officers of the State of New York,

i) Inmate L. D. Parkley was seen walking from "D" Yard to "A" Yard after the assault, he was then seen alive lying on the ground in "A" Yard. He was also seen alive one hour after the assault by Assembly Arthur O. Eve. Soon after this he was killed by officers of the State of New York,

j) Inmates McKinley and Davis were killed by officers of the State of New York;

k) Surviving inmates saw Troopers shoot point blank at inmates, they saw fellow inmates lined up against the wall and shot through the head, they saw an inmate's head pushed through a glass window at the hospital, and they saw inmates killed after they were forced to beg for their lives;

l) Surviving inmates can identify Correction Officer [redacted] as the State officer who murdered an inmate described as black and with a mole on the side of his face.

m) Inmate [redacted] was, without provocation, shot three times in the chest by State officers. Inmate [redacted] was, without provocation, shot in the thigh by State officers. Inmate [redacted] was, without provocation, shot in the arm by State officers

47. Plaintiffs further allege that the acts heretofore set forth constituted murder and pre-meditated murder by Troopers, Police and Correction Officers.

G. Post Assault Beatings

48. Immediately after the assault, and for over a week thereafter, inmates were severely beaten, tortured, threatened, harassed and verbally abused by State Troopers and Correction Officers. The Second Circuit, in granting an injunction against such beating and harassment, described the brutality of the State Officers immediately after the assault as follows:

By contrast, in support of plaintiffs' Eighth Amendment claims, detailed evidence was furnished by plaintiffs to the effect that beginning immediately after the State's recapture of Attica on the morning of September 13 and continuing at least until September 16, guards, State Troopers and correctional personnel had engaged in cruel and inhuman abuse of numerous inmates. Injured prisoners, some on stretchers, were struck, prodded or beaten with sticks, belts, bats or other weapons. Others were forced to strip and run naked through gauntlets of guards armed with clubs which they used to strike the bodies of the inmates as they passed. Some were dragged on the ground, some marked with an "X" on their backs some spat upon or burned with matches, and others poked in the genitals or arms with sticks. According to the testimony of the inmates, bloody or wounded inmates were apparently not spared in this orgy of brutality.

There was testimony that hand in hand with the physical violence upon the inmates went threats of death or further brutality. Correctional officers, addressing inmates as "niggers" or "coons," threatened to "get rid of" them or shoot or kill them. In at least one instance, the testimony ran, a guard pointed a gun at an inmate's head, telling him that he was going to die and started clicking the trigger, following which the inmate was kicked and beaten. On some nights a group of guards visited the cell area and threatened inmates with death, pointing guns or sticks into cells. Several of the witnesses had personally complained to members of the Goldman Panel and to public figures visiting Attica (e.g., Congressman Rangel, Senator Dunne and Assemblyman Eve). Inmates of Attica Correctional Facility v. Rockefeller, supra, 748-49.

49. State officers beat scores of inmates as they crawled or walked into "A" Yard after the initial assault.

a) Inmates [redacted]

L. D. Barkley,

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[redacted] were beaten after they surrendered;

b) [redacted]

after being shot, had his wound

beaten, his wrists broken and was black-jacked by State officers;

c) State officers stuck a gun barrel into inmate

[redacted] wound.

50. After the inmates were in "A" Yard they were forced to run naked through a gauntlet of about fifty Correction Officers, State Police and Troopers who beat them with rubber truncheons, sticks, straps and bats.

a) Inmates [redacted]

[redacted] were forced to run this gauntlet and so testified in federal court,

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b) Defendants Oswald and Mancusi were present at the gauntlet and made no effort to stop it;

c) During the week following the assault inmates were beaten, gassed and forced to walk barefoot over glass.

51. Inmates can identify many of the State officers responsible for the beatings. These State officers include Deputy Wardens Vincent and Pfail; Correction Officers [redacted]

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[redacted] Correction Counselors [redacted]

[redacted] Correction Counselor [redacted] with a bat and

pistol, whipped over 200 inmates going through the "A" Block Yard down to "A" Block.

52. Many of the beatings that took place after the assault were the fault of Defendant Dunbar who, by his lying and irresponsible statements, fanned the State Troopers and Correction Officers into excesses. Within an hour after the assault, Dunbar falsely claimed that nine hostages had had their throats cut. The fact was that all were killed by the State's own bullets. Defendant Dunbar also related the story that a hostage had been castrated --

a story that was wholly false.

These statements by defendant Dunbar were recklessly or intentionally made for the purpose of or having the effect of the hatred of guards against prisoners.

53. Harassment, beatings, verbal abuse and threats against inmates lives continue to this day and will continue unless the State officers responsible for the massacre at Attica are removed and criminally prosecuted.

H. Inmates Property Stolen and Destroyed

54. State Troopers and Correction Officers on September 13, 1971, immediately after the assault, stole, converted or destroyed the personal possessions of the inmates who were in "D" Yard. These state officers converted, for their personal use, the watches, rings and other valuables of the inmates, and maliciously destroyed their glasses and teeth.

55. State Troopers and Correction Officers also maliciously took from the inmates' cells all property, including law books, legal papers, photographs and items of clothing. This property was destroyed by State officers and much of it, still in usable condition, was used as landfill.

56. The inmates, in an attempt to get compensation for their losses, have filed "Notices of Intention to File Claims" with the New York Court of Claims. Over 500 such claims have been filed. Plaintiff [redacted] claim includes, for example, the following items:

- 1 pair brown work boots
- 10 pictures
- 1 soap dish
- 1 Dictionary
- 1 blue bed spread
- 2 personal pillow cases
- 1 rug
- 1 hand grips
- 1 stretch rope
- 1 can opener
- 1 pair of black rubbers

57. Officers of the State of New York have, by stealing, converting and destroying the aforementioned property, violated the criminal laws of the State of New York and have violated the United States Constitution by taking property without due process of law.

I. Lack of Medical Care After the Assault

58. The number of deaths, the seriousness of the injuries, and the pain and suffering of the inmates was dramatically increased by defendants and their agents who criminally and maliciously denied medical assistance to over 400 inmates wounded during the assault.

a) The method used to sort out the wounded at Attica was "triage." Doctors employed at Attica tagged those most critically ill; they were left to die. The least critically ill were left until a later time. Those between these extremes were treated. There was no need to use this method as numerous volunteer doctors were available.

b) Volunteer doctors from Meyers Hospital notified defendants herein on Monday, September 13, 1971, that at least 40 men who were seriously wounded required immediate treatment in the Buffalo Hospital. The men were not transferred. However, all of the volunteer doctors were asked to leave the prison late Monday night. They left behind at least 40 men in serious need of medical attention.

c) Early Tuesday morning at 2:30 a.m. a group of 20 doctors and nurses arrived at Attica Correctional Facility. The medical team had a federal court order allowing them immediate access to the prison. Armed State Troopers, on directions of the defendants herein, disregarded this order and refused to admit the group. At 1:15 p.m. Tuesday afternoon, the prison announced that a western State alert had gone out for doctors. Again, the doctors who had been waiting outside the prison gates since 2:30 a.m. early Tuesday morning were refused permission to enter. Later on that Tuesday, four more prison patients were transferred to Meyer Hospital. By the time the prison officials released the fifth it was too late. He died, becoming one of the many deaths directly linked with the lack of medical care.

d) On September 17, 1971, scores of prisoners were still suffering from broken limbs; others had had bullets in them since Monday the 13th, and others were being beaten. In spite of this, teams of black doctors and nurses from Howard University were barred from the prison.

J. Defendant Rockefeller and Other Defendants Named
Herein Attempt to Cover Their Criminal Culpa-
bility for the Attica Massacre

59. Despite the facts that defendants herein have committed or aided and abetted in the commission of numerous crimes,

there is no state official investigating or instituting prosecution against these defendants. Defendant Rockefeller and other defendants named herein, by various stratagems, have insulated themselves from any investigation or prosecution for their part in the criminal acts heretofore alleged.

60. The first act in this scheme was defendants' open and blatant refusal to obey the federal court order that allowed the admission of doctors and lawyers to Attica on Tuesday morning, the 14th of September. This contemptuous conduct by the defendants not only made it impossible for people outside to determine the extent of the massacre, but, as previously alleged, aggravated the injuries of the inmates and allowed the brutality of the Corrections Officers to continue unchecked.

61. Defendant Rockefeller's next step to insulate himself and the defendants from criminal liability was to hand-pick Deputy Attorney General Robert E. Fischer to begin an immediate investigation of the crimes committed at Attica. Defendant Fischer has only concerned himself with the crimes committed by inmates and has not investigated, nor does he intend to investigate, any crimes committed by state officers.

a) The fact that he was appointed by Defendant Rockefeller makes it impossible for him to neutrally investigate the criminal actions of defendant Rockefeller and those state officers who conspired with him.

b) One of defendant Fischer's first acts was the appointment of Defendant [redacted] the State Trooper in charge of the massacre, as his Chief of Investigations. This indicates that defendant Fischer does not intend to investigate or prosecute state officers.

c) Defendant Fischer, as he himself admits, is not in a position to neutrally investigate and prosecute both inmates and defendants. Fear of reprisals and self-incrimination prevents inmates from reporting crimes to defendant Fischer or his investigators, particularly when defendant Fischer is working closely with the state officers responsible for the massacre.

d) Defendant Fischer's statement that he has not had any inmates report to him acts of brutality on the part of state officers is impossible to believe in light of the facts in this complaint, and impugns defendant Fischer's good faith in carrying out neutral investigations and prosecutions of anyone.

c) Defendant Fischer's manner of conducting some of the interrogations of inmates had indicated that he or his agents are willing to employ brutality in their investigation. The Second Circuit described this brutality as follows:

In support of plaintiffs' allegations of unconstitutional interrogations of prisoners, the sole testimony was that of an inmate [redacted] and of Superintendent Mancusi. [redacted] who is serving a term of [redacted]

[redacted] testified that on September 13 he was beaten and questioned by correction officers with respect to the events of September 9-13, and that on September 15 he was taken from his cell to a room in the administration building where, after being threatened by two or three people dressed in "RCI" (Bureau of Criminal Investigation) clothes, he signed a "piece of paper" or "a pad" without reading it or knowing what was on it. He further testified that although he was due to be released on October 6, 1971, he had been stripped of 180 days good time without any hearing after he pleaded not guilty to a charge of possession of an officer's night stick.

62. Defendant Fischer has not only been appointed to investigate all crimes committed at Attica but he has been appointed prosecutor for all crimes committed at Attica. This effectively means that no prosecutions will be instituted in the State of New York against any of the state officers responsible for the massacre and brutality at Attica. This follows because:

a) Defendant Fischer, as indicated, is not concerning himself with the crimes committed by State officers and will, therefore, not be prosecuting any state officers.

b) Defendant Wyoming County District Attorney Louis James, the only other state officer able to prosecute defendants herein, has been precluded from doing so by the appointment of defendant Fischer. Under New York State law and the order appointing Fischer, when a deputy attorney general investigates and prosecutes a matter, the local district attorney is precluded from taking any action regarding that matter. Defendant James, therefore, can only work under the instructions of the deputy attorney

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general. The order appointing Fischer broadly covers all matters pertaining to Attica. Thus, even though Fischer is not investigating or prosecuting the crimes of the defendants, defendant James is precluded from doing so.

Even without this legal disability, defendant James is too prejudiced to investigate and prosecute the defendants. He was in close contact with Rockefeller regarding the refusal to grant amnesty to the inmates and had indicated during the takeover his intention to prosecute inmates.

63. The situation as it now stands is that no one in the State of New York is investigating or prosecuting those defendants responsible for the numerous crimes heretofore described. Unless these defendants and their agents are immediately investigated and prosecuted, the violation of plaintiff inmates' civil rights and the rights of the classes they represent will continue.

64. Defendant Rockefeller, in a further step to protect himself from criminal liability, requested the Civil Rights Division of the Justice Department to investigate alleged mistreatment of inmates. Thus far, as indicated by the Second Circuit opinion at 759, the Civil Rights Division has made little or no effort to bring charges against any state officers involved in the massacre. The opinion states:

As for the suggestion of help from the Civil Rights Division we are not advised that any steps have been taken to implement the Attorney General's direction other than to dispatch agents of the Federal Bureau of Investigation to interview some of the prisoners. Inmates of Attica v. Rockefeller, supra at 759.

65. Furthermore, defendant Schroeder, United States Attorney for the Eastern District, and defendant Maxwell, United States Magistrate for the Western District, have not arrested, investigated, or instituted prosecutions against any of the state officers involved in the Attica massacre. Although State officers have committed numerous violations of federal criminal laws these federal officials, by not instituting prosecutions, have failed to carry out the duties placed upon them by 42 U.S.C. §§ 1987 and 1989.

VII. REMEDIES

66. As the facts heretofore alleged indicate, there is no adequate remedy at law in either the state courts of New York or in the federal courts. The invocation of the powers of a federal court of equity are required to protect the fundamental federal constitutional rights of the plaintiffs and the classes they represent.

67. Furthermore, this Court has the authority, and is required under the facts set forth in this complaint, to take action pursuant to 42 U.S.C. § 1983, 1987 and 1989 to implement and enforce equitable relief against the acts of the defendants here charged.

The facts set forth in this complaint reveal widespread criminal conduct by the defendants which has infringed upon the civil rights of the plaintiffs. The above statutes place upon the federal judiciary a duty and responsibility to enforce the laws guaranteeing to the plaintiffs their civil rights.

68. No previous application for the relief sought herein has been made to this or any other court.

VIII. PRAYER FOR RELIEF

WHEREFORE, plaintiffs pray:

a) That this Court issue an order requiring the State to submit a plan for the independent and impartial investigation and prosecution of the defendants named herein and those defendants unknown who are guilty of committing, conspiring to commit or aiding and abetting in the commission of the crimes heretofore set forth. The Court is further requested to insure the appointment of an impartial state prosecutor and state judge who will prosecute the defendants forthwith.

b) That this Court issue an order pursuant to 42 U.S.C. §§ 1987 and 1989 requiring the United States Magistrate and the United States Attorney for the Western District of New York to investigate, arrest and institute prosecutions against the named defendants named herein and those unknown who have violated the criminal laws of the United States, to wit, 18 U.S.C.

§§ 241 and 242.

c) That this Court declare the defendants Rockefeller, Oswald, Dunbar, Mancusi and others named herein unfit to administer Attica Correctional Facility and the prison system of New York, that this Court permanently enjoin them from administering said system and that this Court place Attica and the New York State System into federal receivership.

d) That this Court grant plaintiffs their costs in this action;

e) That this Court grant such other and further relief as the court may deem just and proper.

Respectfully submitted,

[Redacted]

[Redacted]

[Redacted] N.Y. 10013

[Redacted]

[Redacted]

[Redacted] N.Y.

[Redacted]

[Redacted] N.Y.

[Redacted]

[Redacted] N.Y.

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F B I

Date: 2/23/72

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)

TO: DIRECTOR, FBI (44-50605)
 FROM: SAC, BUFFALO (44-592) (C)

UNSUBS;
Correctional Officers,
Attica Correctional
Facility, Attica
 (Wyoming County), New York;
 UNKNOWN VICTIMS -
 Inmates of Attica
 SUMMARY PUNISHMENT
 CIVIL RIGHTS
 (OO: BUFFALO)

Enclosed for the Bureau is an original and four
 copies of a Letterhead Memorandum (LHM) regarding statements
 made by [redacted] Attica Correctional Facility inmate.

Buffalo conducting no further investigation
 regarding these statements, UACB.

New York being furnished information copy of
 instant LHM in view of remarks made by [redacted] which
 were previously furnished to the New York Division.

2 - Bureau (Encs. 5) (AM)
 1 - New York (91-9105) (Enc. 1) (Info) (AM)
 2 - Buffalo
 (1 - 62-2475)
 JLB:kms
 (5)

loc: AAG Civil Rights Division
 Form 6-94

Approved: KLB/km

Sent _____ M Per _____

Special Agent in Charge

55 MAR 9 1972



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

400 U. S. Court House
Buffalo, New York 14202
February 23, 1972

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS;
Correctional Officers,
Attica Correctional
Facility, Attica
(Wyoming County), New York;
UNKNOWN VICTIMS -
Inmates of Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

Reference is made to previous communications of the Buffalo Office of the Federal Bureau of Investigation (FBI), dated November 19, 1971 and July 30, 1971, both of which were captioned [REDACTED] UNKNOWN SUBJECTS; Prison Officers, Ossining Correctional Facility, Ossining, New York; UNKNOWN SUBJECTS; Officials, New Queens House of Detention for Men, New York City, New York, [REDACTED] VICTIM, CIVIL RIGHTS".

The following is a copy of a writ which was received by the Buffalo Office of the FBI on February 14, 1972, having been forwarded by U. S. District Judge JOHN T. CURTIN, Buffalo, New York:

44-50605-130
ENCLOSURE

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AGAINST THE PRISON OF STATE OF N.Y. BUFFALO NY

- 1) I AM WRITING THIS WRITS IN FACE OF HABEAS CORPUS TO THIS COURT TO REPRUDUS ME TO HEAR ME IN THE FACTS
 - 2) ONE LETTER WHAT I HAVE WRITTEN TO WYOMING COUNTY HOUSE 1/3 OF FIRM OF THE JURY OF WYOMING COUNTY THAT PRISON REBORN TO HEAR ME
 - 3) THIS LETTER HAS BEEN RETURNED TO ME ON 1-28-72 WITH SMALL NOT WITH I CANNOT READ THE NEXT DAY I HAVE FORWARDED THE LETTER IN MAIL BOXES SO I CAN READ IT IN FRONT OF OFFICE
 - 4) THE NEXT DAY THIS LETTER WAS RETURNED TO ME BY OFFICE FROM CORRESPONDENT DEPARTMENT WITH OPEN LITIAL MAIL & EXCISE LETTER THEN NO FORWARD THE OPEN LETTER INCID EXCEPT STATE INCID THEN NO READ & SAY I SWEAR
 - 5) THAT THIS FACTS HAVE BEEN EXIST AT ALL TIME IN THE LETTERS FROM CORRESPONDENT WHAT I HAVE BEEN RESKID THE DEFENDANT SAY THAT THEY FORWED TO MR. EX FINE THAT SHE IS COMPLIMENTANT I AM ASKING THIS COURT TO REPRUDUS ME THAT A TO HEAR ME ABOUT THE FACTS & DIPPING ME OUT OF MY DIFENCE
 - 6) I HAVE BEEN TRIVEN BY THE PRISON GUARDS & WARDEN THAT I WILL MOVE OUT IN THIS PRISON BECAUSE I AM INOSENT OF MY CASE & I WILL PROVE BUT NOT UNTILL I AM HEARD
 - 7) I AM ASKING THIS COURT TO HEAR ME WHAT I HAVE TO SAY IF FBI OR THE DEPT. OF MY ARREST DON'T WANT HEAR ME I HAVE NO OTHER WAY TO TOWN BUT ONLY ASK TO BE HEARD ABOUT MY SCHOOL DIPINCE & MY MAIL
 - 8) I ALSO WOULD LIKE TO ASK IF THIS COURT HAVE ATORITY TO NOTUFIE THE JURY OF WYOMING COUNTY OF FACT THAT I RIET IF THE JURY & THE COURT WOULD LIKE TO ADDRESS THE TRUE FACTS TO THE PEOPLE TEXS PAYERS OF STATE OF N.Y.
- To ~~CONSTITUTION~~
SUPREME COURT
BUFFALO NY.

IS SWORN

R. SAYS THAT THE FACTS ARE TRUE IN ALL MATTERS & WOULD LIKE TO BE HEARD BY THE COURT TO BE HEARD

SWORN THIS 27th OF 72
Edward V. Brady

EDWARD V. BRADY
Notary Public, New York State
Residing in Genesee County

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/23/72

[redacted] Attica Correctional Facility, was contacted, provided the identities of the interviewing Agents, and was exhibited a writ dated January 31, 1972, signed [redacted]. After viewing this letter, [redacted] stated that he had written it and wished to talk to contacting Agents.

[redacted] then made reference to information he had previously furnished Bureau Agents during his interview on July 28, 1971, regarding his possible identification of a picture of a bank robber he had observed in the newspaper. [redacted] asked why he had not received the \$10,000 reward for the capture of this subject as it was his understanding this individual had been caught on information he had previously furnished the FBI. When questioned as to the source he had acquired this information, he stated in words to the effect that he had a "dream" which indicated that the above had happened and that in the past, he has had many such dreams regarding things which have actually taken place that he had no previous direct knowledge of. [redacted] indicated that in the past, all of these dreams have been true and that the things which he has dreamed have actually happened.

[redacted] stated that on September 14, 1971, he was locked in [redacted] at the prison, and that at this time, New York State Police (NYS) uniformed officers were making unscheduled counts of inmates at the facility every hour or half hour. He continued that it is common practice at the time of a count to have the inmates stand in front of the doors of their cells. [redacted] stated that these counts continued during the riot situation which was occurring at this time, and that during one period on September 14, 1971, he observed the inmate who was locked in [redacted] who he knew only as [redacted] asleep on the bed in [redacted]. He continued that he observed six or seven uniformed officers' pass in front of the cells and counting inmates, when one of these officers hit the bars of the door of the cell that [redacted] was asleep in. [redacted] stated he heard this officer yell [redacted]

Interviewed on 2/18/72 at Attica, New York File # Buffalo 44-592
by SAS [redacted]
LESTER S. SKINNER/JLB:kms Date dictated 2/22/72

- 4 -

[] continued that [] did not get up from his bed, further stating that many of the inmates were extremely tired due to lack of sleep and having so many counts so often. He stated that one of the police officers opened the cell door where [] was confined, that three officers entered the cell, pulled [] into the hallway, and that all seven officers hit [] with their fists, kicked him with their feet, and hit [] with the stocks of shotguns they were carrying. [] stated that during all of this, [] did not attempt to hit any of the officers, but was trying to get [] into the cell. [] stated that at this point [] was on the floor of the hallway with blood on his face and that one officer stepped back a few feet from [] pulled out a .45 caliber pistol, and pointed it at him. [] continued that a correctional officer of Attica, who has a Polish name and is the rank of sergeant, then came upon the scene and yelled "Wait". [] stated that he did not know this officer's name, but that before the riot situation, he worked in "C" block of the facility. At this point, [] was placed on his bed in his cell by officers present.

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[] stated he did not feel he could recognize the above NYSP officers if he were to see them again, adding that the only other persons who saw the above were the inmates confined in []. He commented that the inmate referred to in [] is currently located at the Clinton Correctional Facility.

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[] stated that he felt that more than 43 prisoners had been killed when the prison facility was retaken by authorities. When asked why he felt this way, he stated that he had observed from the window of his cell, correctional officers pushing inmates in wheelchairs in a hurried manner toward "E" block where the powerhouse is located. [] added that he had dreamed that these inmates were burned and their bodies therefore destroyed.

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[] stated approximately 35 percent of the glass windows on the side of "C" block which is close to the mess hall were broken by NYSP officers in order to aim their guns which they carried, at inmates in "C" block. He stated

BU 44-592

that the reason he knows the above is because he saw these officers point their guns through the windows watching inmates in their cells. [] stated that he at no time saw any gun being fired.

[] then made numerous complaints regarding his outgoing mail at the facility, and the fact that he was deprived of certain schools available at the prison which he had applied for. [] stated that although all of his letters have eventually been mailed, one which he addressed to the Grand Jury Foreman of the Wyoming County Special Grand Jury currently in session, was returned to him three times before it was mailed on the fourth time of submission.

[] stated that he is represented by an attorney, but that he wants someone to "re-investigate my case". the conviction for which he is now serving time. [] also reiterated the complaints which he had previously made during his interview by Bureau Agents on July 28, 1971.

[] was advised that his remarks would be forwarded to the Civil Rights Division of the U. S. Department of Justice.

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UNKNOWN SUBJECTS;
Correctional Officers,
Attica Correctional
Facility, Attica
(Wyoming County), New York;
UNKNOWN VICTIMS -
Inmates of Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

F B I

Date: 3/16/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

To: Director, FBI (44-50605) ATTENTION:

From: SAC, ALBANY (44-691)(~~enc~~) ☒ CIVIL RIGHTS SECTION
GENERAL INVEST. DIV.Subject: UNSUBS, Correctional ☐ DOMESTIC INTELLIGENCE DIV.
Officers, Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - Inmates of Attica
SUMMARY PUNISHMENT

CIVIL RIGHTS (OO: BUFFALO)

☐ CR ☐ EL ☐ DIH ☐ CRA-64
☐ PA ☐ PE ☐ PF ☐ E
☐ EID ☐ Bomb Threats ☐ Racial Matters
☐ Klan ☐ Organization

~~Summary of Complaint:~~

[] was advised that matter has been referred to AAG,
 CRD, U.S. Department of Justice, Washington, D.C.; and that if
 he had an inquiry, he should communicate directly with this
 AAG.

1 - Bureau (Enc. 4) ST-109
 1 - Buffalo (44-592)(Enc. 1)
 1 - Albany
 EFN:pms
 (3)

ACTION: UACB:

- ☒ No further action being taken and
☒ LHM enclosed ☐ Copy furnished to USA
☐ FD-376 (enclosure to LHM)
☒ LHM being submitted
☐ Report being submitted
☐ Preliminary investigation instituted
☐ Limited investigation instituted

REC 20

44-50605-131

advised to Albany
 3-23-72

MAR 20 1972

McIntyre

Approved: _____ Sent _____ M Per _____
 Special Agent in Charge

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Albany, New York

March 16, 1972

UNKNOWN SUBJECTS; Correctional
Officers, Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - Inmates of Attica

On March 15, 1972, a letter dated March 13, 1972 from
[redacted] Box 51, Comstock, New York, was received in
the Albany, New York Office of the Federal Bureau of Investiga-
tion.

VICTIM

A copy of this letter is attached hereto.

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44-50605-131
ENCLOSURE

Name Federal Bureau of Investigation
Street & No. 502 USPO COURT HOUSE
City ALBANY New York, 12207

When Reply Sign Your Full Name and Address
Give Date's Full Name and Number

Box 51
Comstock, N.Y. 12821

Date MARCH 13, 1972

DEAR AGENT IN CHARGE OF THIS OFFICE.

IN MY LETTER OF OCTOBER 1971, TO THE UNITED STATES ATTORNEY GENERAL, JOHN N. MITCHELL, I REQUESTED HIM TO DESIGNATE AN AGENT OF THE FEDERAL BUREAU OF INVESTIGATION TO VISIT ME FOR THE PURPOSE OF PHOTOGRAPHING THE INJURIES AND MAKING AN ASSESSMENT MEMORANDUM OF THE INJURIES WHICH I WAS SUBJECTED TO BY THE STATE CORRECTIONAL OFFICERS, AND STATE TROOPERS IN THE ATTICA CORRECTIONAL FACILITY DURING THE SO-CALLED UP-RISING OF SEPTEMBER 1970. I UNDERSTAND THAT AGENTS FROM THE OFFICE VISITED THIS PRISON AND INTERVIEWED A FEW INMATES, HOWEVER THE AGENTS DIDN'T EVEN REQUEST TO SEE ME.

SO MY QUESTION, THAT I AM REQUESTING AN AGENT TO VISIT ME THIS WEEK FOR THE PURPOSE OF PHOTOGRAPHING AND MAKING A MEMORANDUM ASSESSMENT RECORD OF THE TREATMENTS WHICH I WAS SUBJECTED TO PLEASE.

VERY TRULY YOURS,

[Redacted Signature]

Box # 51

COMSTOCK N.Y. 12821

DO NOT SEND CASH OR STAMPS

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51

REC 20

SI-109

131

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(4)

MAILED 3
MAR 23 1972
FBI

MAIL ROOM ☒ TELETYPE UNIT ☐

F B I

Date: 3/24/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)
FROM: SAC, BUFFALO (44-592) (P)

UNSUBS,
Correctional Officers
Attica Correctional Facility
Attica (Wyoming County), N. Y.;
~~UNKNOWN VICTIMS - Inmates~~
of Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

Enclosed for the Bureau are the original and three
copies of a self-explanatory LHM.

A copy of this LHM has been furnished the United
States Attorney for the Western District of New York, Buffalo,
New York by separate communication.

In view of the expressed inability of [redacted]
to either identify the guard or the Attica prisoner, no further
investigation is contemplated at this time by the Buffalo Office,
UACB.

2 - Bureau (Enc. 4) (AM)
2 - Buffalo
CEU:sal
(4)

ENCLOSURE

EX-100

REC-89

44-50605-132

airtel to
SAC, BIA
3-27-72

3 MAR 27 1972

Approved: KLB/rpr
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
March 24, 1972

UNKNOWN SUBJECTS,
Correctional Officers
Attica Correctional Facility
Attica (Wyoming County), N. Y.;
UNKNOWN VICTIMS - Inmates of
Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

On March 13, 1972, the Honorable JOHN O. MENDERSON, United States District Court Judge, Western District of New York, Buffalo, New York, telephonically contacted the Buffalo FBI Office and advised that there was a [redacted] in his office whom he was referring to the Buffalo FBI Office for interview. INFT

Later on the same date, [redacted] appeared personally at the Buffalo FBI Office. He identified himself as a [redacted] New York.

[redacted] advised that he has a [redacted] New York, and his telephone number is [redacted] of age and is presently securing a Masters Degree in Education from Canisius. [redacted] is a very level-headed individual and is not a long-haired hippie. [redacted] National Guard who was at Attica Correctional Facility at the time of the riot.

He stated that about a month ago [redacted] and said that he had seen something in Attica that had been troubling him, and that he had come to him seeking advice. [redacted] told him that after the riot he was in one of the cells and a large Negro male inmate, who apparently had been wounded in the leg, was on a stretcher and an unknown white Attica guard asked the problem with the inmate and he told him that the inmate had apparently been shot. The guard commented, "I don't believe it" and told him to tip over the stretcher. With the inmate laying on the ground, the guard, using what he thought was a screwdriver, stuck the screwdriver in the rectum of the inmate three or four times and told him to get up.

ENCLOSURE

44-50605-132

UNKNOWN SUBJECTS,
Correctional Officers
Attica Correctional Facility
Attica (Wyoming County), N. Y.;
UNKNOWN VICTIMS - Inmates of
Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

[redacted] told him that he does not feel he could recognize the Attica guard mentioned above and that [redacted] had reported the above incident to the New York State Police (NYSP) several days after it occurred. He stated [redacted] has no idea what, if any, action was taken about the above incident by the NYSP.

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[redacted] advised [redacted] could be contacted at the [redacted] through the telephone number he had furnished.

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After numerous unsuccessful attempts to contact [redacted] he was telephonically contacted concerning an appointment on March 22, 1972. [redacted] advised he had been very busy in school and had not even been contacted by [redacted] in the past ten days. [redacted] advised that he would come to the Buffalo FBI Office on the afternoon of March 23, 1972 for an interview.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 3/24/72b6
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[redacted] NEW YORK,
He is currently working towards a Masters Degree in Education at Canisius College and anticipates receiving this degree at the close of the Summer Session in 1972.

[redacted] advised that he was a member of the New York State National Guard and was assigned to a hospital unit. His unit had been utilized at the Attica Correctional Facility following the retaking of the prison after the inmates had rioted. [redacted] advised that the hospital area was a shambles in that it was overcrowded and it had been necessary to put the wounded in the corridors and in every spare area. The doctors had been trying to treat the most severely wounded first but this was not possible in all of the confusion. He said that one of the doctors had told him to get blankets and cover up some of the wounded who were lying on the stretchers and that the guards had made comments to him as he was following these instructions. He said he realized that emotions were running high on that date.

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[redacted] said that he could not pinpoint the time but it was in mid-afternoon on September 13, 1971 and he had been told along with other Guardsmen to take two prisoners to the C Block area from the yard. It was his recollection that they went into the B Block building and then came down the tunnel leading to what was called Times Square in the center of the yard. They started down towards another block but were stopped and realized they were going the wrong way. They had been headed for B Block and were just going in the exact opposite direction they should have been going in order to take their prisoners to the C Block area. He said that as they came back through the Times Square area there were several guards present and one individual who apparently was a guard but was not in a prison guard uniform. This man told the National Guardsmen to put the prisoner down. He asked what was the matter with the prisoner who [redacted] had been assisting in carrying and [redacted] said that he had apparently been shot in the leg. He said there was no blood showing but puncture wounds were visible and each was ringed by a dark circle.

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Interviewed on 3/23/72 at Buffalo, New York File # Buffalo 44-592

by SAs CARL E. WINTERHILL and CEW:cal Date dictated 3/24/72

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This same guard said that he did not believe it and told him to tip over the stretcher. [] did not do it and this prison guard then picked up the stretcher at one end and as he raised it, the Negro male prisoner just sort of slid off the stretcher and fell to the concrete floor. The guard told him to move and go down the walk-way from Times Square towards C Block. The prisoner just laid there on the floor and the guard took out what [] observed to be a Phillips Head screwdriver. He said that this prisoner was lying on his back with his knees up in the air and the guard reached down and in the general area of the rectum poked this man four or five times and told him to get moving.

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When queried if the screwdriver penetrated the anus, [] advised that he could not tell but that the man was just poked in the general area and it could well have been that he was jabbed in the buttocks. [] said that he did not see any blood. He said the other National Guardsmen observed this as did some of the prison guards who were present.

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[] advised that in discussing the matter later with the Guardsmen, all were of the opinion that they could not identify either the prisoner or the guard who had possessed the screwdriver. [] advised that after this incident had occurred, he had furnished information concerning same to the New York State Police. He was not aware of what follow-up investigation the State Police had taken concerning the information. [] advised that he was aware that the information was not worth much in the absence of any ability to identify the prisoner or the guard but that he nevertheless had wanted to go on record with the information.

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[] suffers no physical impairment which would negate his ability to observe and recall factual occurrences.

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UNKNOWN SUBJECTS,
Correctional Officers
Attica Correctional Facility
Attica (Wyoming County), N. Y.;
UNKNOWN VICTIMS - Inmates of
Attica
SUMMARY PUNISHMENT
CIVIL RIGHTS

This document contains neither recommendations
nor conclusions of the FBI. It is the property of the FBI
and is loaned to your agency; it and its contents are not
to be distributed outside your agency.

AIRTEL

March 29, 1972

EX-100
TO: SAC, Buffalo (44-592)

FROM: Director, FBI (44-50605) 132

1- Mr. MacFarlane

UNSUBS; CORRECTIONAL OFFICERS
ATTICA CORRECTIONAL FACILITY
ATTICA (WYOMING COUNTY), N. Y.;
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS

Immediately ascertain if New York State Police received complaint regarding this incident from [redacted] and what if any investigation was conducted. If investigation conducted, submit results to this Bureau.

Ascertain from medical staff from prison if they can recall an inmate reporting injuries such as described by [redacted]

JJM
JJMF:lk1
(4)

NOTE: [redacted] New York State National Guard assigned at Attica during the recent uprisings, has furnished information indicating that he observed a guard assault one of the alleged wounded inmates after the uprising was called. [redacted] cannot identify the subject or the victim. We are instructing Buffalo to contact State Police and medical staff to see if incident similar to that reported by [redacted] has been previously brought to their attention.

Tolson _____
Felt _____
Campbell _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Waikart _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

54 APR 6 1972

MAIL ROOM ☒

TELETYPE UNIT ☐

44-50605-133

CHANGED TO

44-51049-4

JUN 12 1972

BC / CA

F B I

Date: 3/31/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)

FROM: SAC, ALBANY (44-691) (P)

SUBJECT: UNSUBS; CORRECTIONAL OFFICERS;
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS

(OO: Buffalo)

Re Bureau airtel to Albany dated 3/23/72.

Enclosed for the Bureau and Buffalo are four copies
and three copies, respectively, of an LHM concerning captioned
matter.

On 3/30/72, [redacted] was interviewed at Great
Meadow Correctional Facility, Comstock, New York, and advised
that his complaint would be submitted to the Justice Department
for appropriate consideration. He was also advised of FBI
jurisdiction in Civil Rights matters, and that he should contact
Assistant Attorney General DAVID L. NORMAN, Civil Rights Division,
U. S. Department of Justice, Washington, D. C. for any further
questions he might have concerning this matter. A signed state-
ment was obtained from [redacted] detailing alleged brutal treat-
ment received at the Attica Correctional Facility in 9/71.

Color instamatic photographs were taken of [redacted]
alleged injuries and are currently being processed for trans-
mittal to the Bureau.

2 - Bureau - Encls.

2 - Buffalo - Encls. (3)

2 - Albany

JER/smw

(6)

APR 3 1972

Form 6-31 Civil Rights Division

58 APR 12 1972

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Albany, New York
March 31, 1972

UNKNOWN SUBJECTS; CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT

[redacted] Box 51, Great
Meadow Correctional Facility, Comstock, New York, was
interviewed on March 30, 1972, in response to his letter
dated March 13, 1972, requesting that he be interviewed
and photographs taken of alleged injuries suffered in
September, 1971, at the Attica Correctional Facility.
Attica, New York.

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Attached hereto are the following:

- (1) Copy of an interview report form setting forth an interview with [redacted] on March 30, 1972 at Great Meadow Correctional Facility, Comstock, New York;
- (2) Copy of an interview report form setting out the results of a medical examination of [redacted] upon his transfer from Attica to Great Meadow;
- (3) Copy of New York State Identification and Intelligence System record [redacted]

-1*-

44-50605-134
ENCLOSURE

TO: DIRECTOR, FBI (44-50605)

FROM: SAC, ALBANY (44-691) (P)

SUBJECT: UNSUBS; CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT
CIVIL RIGHTS

(OO: Buffalo)

Attached hereto are the following:

- 100-1 ERD
4/14/72
Curt
- (1) FD-302 of [REDACTED]
 - (2) FD-302 of medical exam of [REDACTED]
 - (3) NYSIIS record of [REDACTED]

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44-50605-134

44-50605-134

FEDERAL BUREAU OF INVESTIGATION

March 31, 1972

Date of transcription

[redacted] was interviewed at the Great Meadow Correctional Facility, and furnished the following signed statement:

"Comstock, New York
March 30, 1972

"I [redacted] do make the following signed statement to [redacted] whom I know to be Special Agents of the Federal Bureau of Investigation.

"September 9, 1971 I was let out of my cell by an officer name [redacted] of Attica State Prison. I was told by an inmate to go to the (D) block yard because their was a riot and (D) block was the only safe place for a inmate. I went to (D) block and most of the time I was by the catwalk.

"On September 13, 1971 when the State Troopers came into the yard, a bullet struck the wall and creased my knee cap, I ran down to the (D) block bathroom and remained their until I heard a mans voice rideing a helicopter announced over a loud speaker, come out with your hands over your head and you won't be hurt. I came out like they said and was taken to the (A) block yard. Once their they made me strip to the nude, and made me crawl from one side of the yard to the other, Once their I was told to stand in a long line with others. When my time came, I had to welk through a door. Their was Attica Correctional officers on both sides of the wall with the kind of sticks that correctional officers carry. I was told to run through the hallway and was beaten down to the ground. I ran again and it was the same thing repeatedly. Finally I reached the cell they wanted me to go to. The next day I was examined by outside doctors. My leg was swollen so bad that two inmates whom was in the cell with

Interviewed on 3/30/72 at Comstock, New York File # AL 44-691
by SA [redacted] SA [redacted] Date dictated 3/31/72

AL 44-691

-2-

"He stop the doctor and ask him to look at me. The doctor ask me why I didn't go to the hospital. I told him I couldn't walk and feared the State Troopers. He treated me as he could shortly after I came here to Comstock,

"I have written this two page statement and it is true.

"/s/

Great Meadow Correctional Facility
Box #51
Comstock, New York 12821

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"Witnesses:

/s/ Special Agent, FBI, Albany, N.Y. 3/30/72
/s/ Special Agent, FBI, Albany, N.Y. 3/30/72"

advised that he could not identify any of the officers who allegedly struck him during the Attica uprising. He stated that he could not identify the two inmates who were with him in the cell at the time they requested that a doctor examine him. He pointed out that he had graduated from a Dale Carnegie course with one of these inmates but still was unable to recall his name.

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advised that the marks on his left foot and left knee were received as a result of the beating suffered by him at Attica. He stated that other marks and scars appearing on his body had no connection with the Attica affair.

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is described as follows:

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Sex:

Male

Race:

Negro

Date of Birth:

Place of Birth:

New York

AL 44-691

-3-

Height: 6'3"
Weight: 188 pounds
Hair: Reddish black
Eyes: Brown
Complexion: Light Brown
Education: 9th grade
Marital Status: Single
Residence Address: [redacted]

Build: Slender
Scars and Marks:

Parents:

Brother:

Sister:

[redacted] New York

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription March 30, 1972

Records contained in the Administration Office, Great Meadow Correctional Facility, Comstock, New York, contained a memorandum prepared and signed by [redacted] dated January 3, 1972, concerning inmate [redacted]. The report is here-with set forth verbatim:

"Inmate arrived at Comstock with abrasions of his elbows, knees, feet, and a contusion of the buttock. He has a history of a fracture of the right knee of 1968. He has been on sick call on only four occasions and has had glasses prescribed in December, 1971. No other complaints or physical problems are known".

Interviewed on 3 30 72 at Comstock, New York File # AL 44-691
by SA [redacted] Date dictated 3/31/72

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44-50605-135,136

CHANGED TO

44-51049-5,6

JUN 12 1972

BC /UA

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SC BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 4/17/72	INVESTIGATIVE PERIOD 4/4 - 4/17/72
TITLE OF CASE UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York; UNKNOWN VICTIMS - Inmates of Attica		REPORT MADE BY CARL E. UNDERHILL	TYPED BY :pas
		CHARACTER OF CASE SUMMARY PUNISHMENT CIVIL RIGHTS	

REFERENCE: Buffalo airtel to Bureau, 3/24/72;
Bureau airtel to Buffalo, 3/29/72.

- C -

ADMINISTRATIVE

All persons contacted in this investigation were advised that the investigation was being conducted at the specific request of Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice.

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>RHA</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW 44-50605-137 REC <i>car</i> 4 APR 20 1972 <i>Consolidation</i>
COPIES MADE: 2 - Bureau (44-50605) 3 - Buffalo (44-592)		

Dissemination Record of Attached Report				Notations
Agency	Request Recd.	Date Fwd.	How Fwd.	
CRD		4-21-72	694-H	MAY 3 1972 STAT SECT.

MAY 3

1972

COVER PAGE

BU 44-592

ADMINISTRATIVE (CON'T)

No copy of this report has been designated for the USA, Buffalo since the original request for investigation into the Attica matter emanated from the Department. However, if the Department subsequently requests that the USA be furnished with a copy, the Buffalo Office will be in a position to furnish same.

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to:

Report of:
Date:

CARL E. UNDERHILL
4/17/72

Office: Buffalo, New York

Field Office File #:

44-592

Bureau File #:

44-50605

Title:

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS -
Inmates of Attica

~~Character:~~

Character:

SUMMARY PUNISHMENT, CIVIL RIGHTS

~~Synopsis:~~

Synopsis:

Members of staff of Judge ROBERT FISHER, who has been appointed Deputy Attorney General for the State of New York, advised they had received information from [redacted] follow up investigation not possible since [redacted] could not identify anyone. Matter considered open in event correlated information received. Two doctors at Attica Correctional Facility do not recall any incident as alleged by [redacted] or treatment of screwdriver stab wounds.

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- C -

Details:

On April 4, 1972, ANTHONY SIMONETTI, Attorney who is assistant to Deputy Attorney General ROBERT FISHER, State of New York, was located at Attica Correctional Facility, Attica, New York, and advised of the nature of the allegations furnished by [redacted]

[redacted] Mr. SIMONETTI advised that access could be had to any of his staff for information compiled by his staff.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/10/72

[redacted] Bureau of Criminal Investigations (BCI), New York State Police, who is [redacted] Judge ROBERT FISHER, which staff has been investigating the events at Attica Correctional Facility (ACF), since the creation of the staff by Governor NELSON ROCKEFELLER, was advised of the nature of the allegation made by a National Guardsman. [redacted] advised that he did know that some of the National Guardsmen had been interviewed but he had no personal knowledge of any complaint of this nature having been received from any Negro inmate at the penitentiary nor did he have any personal knowledge of any allegations by any Guardsman regarding the mistreatment of any inmates.

[redacted] advised that he did believe that whichever Guardsman had made such an allegation was erroneous as to time, since inmates were clear of the yards and the "Time Square" passageway by 1:00 P.M. or shortly thereafter on September 13, 1971.

Interviewed on 4/4/72 at Attica, New York File # Buffalo 44-592
by SAs CARL E. UNDERHILL [redacted] CEU:cap -2- Date dictated 4/10/72

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/10/72

[redacted] Bureau of Criminal
Investigations (BCI). New York State Police, who is [redacted]
[redacted] Judge ROBERT FISHER, investigating
the events at Attica Correctional Facility (ACF), advised
that he had no information regarding the incident described
by the National Guardsman. He advised further that he was
somewhat familiar with the medical records and was quite
certain that there had been no incident reported in those
records of any inmate having suffered any stab wounds accom-
plished by a screwdriver.

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Interviewed on 4/4/72 at Attica, New York File # Buffalo 44-592

by SAs CARL E. UNDERHILL and -3- Date dictated 4/10/72
CEU:cap

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b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/10/72

[redacted] New York State Police, [redacted] Judge **ROBERT FISHER**, advised that in October, 1971, he and others assigned to the staff interviewed National Guardsmen and stated that the Guards they interviewed belonged to the Headquarters 152nd Engineers Battalion (C) (A) NYARNG who were stationed at 184 Connecticut Street in Buffalo, New York. He advised that according to his information, the troops had been mobilized on September 11, 1971 and under Special Order #47, had been ordered to Attica Correctional Facility (ACF) on September 13, 1971. After the retaking of the prison was accomplished, this particular Engineers Battalion was utilized as litter bearers. Subsequent to their use as litter bearers, the entire battalion was contacted. The personnel were advised by one of their officers that anyone desiring to be interviewed should fall out and out of the entire battalion only fourteen consented to interview. When queried as to whether one [redacted] was one of the persons to be interviewed, he advised that such was the case. He pointed out that [redacted] was interviewed by one of the State Police personnel by the name of [redacted]

[redacted] advised that according to his information, [redacted] had stated that this unidentified male Negro had been mistreated by an unidentified white male in civilian clothes. [redacted] stated that in the absence of any identification as well as the absence of any information or similar substantive facts, it had not been possible to further expand on [redacted] information. He advised that to his knowledge there had been no complaint of any such incident received from any Negro male.

Interviewed on 4/4/72 at Attica, New York File # Buffalo 44-582

by SA CARL F. HENDERHILL and

-4-

[redacted] DEH:cap

Date dictated 4/10/72

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/10/72

[redacted] Special
Intelligence Unit (SIU). New York State Police, Utica,
New York, who is [redacted] Judge
ROBERT FISHER advised that he interviewed [redacted]
regarding [redacted] knowledge of events at Attica Correctional
Facility (ACF). He advised that [redacted] had furnished him
with information identical with that he had apparently
furnished the FBI in their interview. [redacted] pointed out
that it had not been possible on the basis of [redacted] infor-
mation, to pursue the matter further at the time in view
of the inability of anyone to identify the alleged victim
or the perpetrator of the alleged mistreatment. [redacted] advised
further that there had been no medical information brought
out which would substantiate any prisoner being wounded in
the rear end by being stabbed with a screwdriver. [redacted]
advised that the staff was still maintaining an alert for
any information which might be correlated with [redacted]
allegation and if such could be located it would be pursued.

b6
b7C

Interviewed on 4/4/72 at Attica, New York File # Buffalo 44-592

by SAs CARL E. UNDERHILL and

-5-

[redacted] /CEU:cap

Date dictated 4/10/72b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/10/72

ANTHONY SIMONETTI, who is Assistant to Judge ROBERT FISHER in the investigation of events at Attica Correctional Facility (ACF) during and after the riots there in September, 1971, was informed of the nature of the allegation made by a National Guardsman. SIMONETTI advised that no complaint of this nature was received from any male Negro who would have been considered as a victim in such a matter. He advised that complaints from the inmates had been scrutinized very carefully and he was certain that no such complaint that any inmate was wounded by a screwdriver had been received. He pointed out that medical records that had been kept were not too good, inasmuch as various doctors had been utilized and records, at best, were sketchy. He pointed out that copies of the medical records received by his staff had been made available to the FBI and he did not believe there was any such stab wound information contained therein.

SIMONETTI continued that he considered the matter still open as far as it can possibly be handled in correlation with information presently available, inasmuch as that remaining to be explored. He advised that in the absence of a complaint by the inmate and identification of guard personnel, that it would be virtually impossible to proceed further with any investigation.

Interviewed on 4/4/72 at Attica, New York File # Buffalo 44-502

by SAs CARL E. HENDERHILL and
[redacted] /CEU:cap

-6-

Date dictated 4/10/72

FEDERAL BUREAU OF INVESTIGATION

-1-Date of transcription 4/17/72

Captain [redacted] Special Investigation Unit (SIU), New York State Police, Albany, New York, advised that after Attica Correctional Facility was retaken, he acted as liaison between New York State Police and the staff of Judge ROBERT FISHER, who was appointed as Special Attorney General to investigate the events at Attica.

[redacted] stated he had since been relieved of this position, but that during his time at Attica, he had received probably all of the medical records compiled and had no recollection of any inmate being treated for any stab wounds in the buttocks area by means of a screwdriver nor did he recall any complaints by any inmates of any such type of mistreatment. [redacted] pointed out that such an allegation would be unusual in nature, and he felt that if such a complaint had been made, it most certainly would have come to his attention.

Interviewed on 4/8/72 at Buffalo, New York File # Buffalo 44-592

by SA CARL E. UNDERHILL:pas -7- Date dictated 4/14/72

FEDERAL BUREAU OF INVESTIGATION

-1-Date of transcription 4/17/72

[redacted] Attica Correctional Facility, advised that he had not, of course, treated all the inmates for their various wounds following the retaking of the Correctional Facility by law enforcement officers on September 13, 1971. He stated that he personally had no recollection of any such incident where an inmate had been wounded in the buttocks area with a screwdriver, and he believes that such a wound as this would have been so unusual as to have been called to his attention. [redacted] pointed out that he did not recall any inmate having made any complaint concerning this type of wound. He advised that he had no further information.

b6
b7C

Interviewed on 4/12/72 at Attica, New York File # Buffalo 44-592

by SA CARL E. UNDERHILL:pas Date dictated 4/17/72

-8-

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 4/17/72

[redacted] was telephonically contacted at Attica Correctional Facility in regard to an appointment. [redacted] inquired as to the nature of the information sought; and when apprised of the allegation as to an inmate being wounded by a screwdriver, he advised that he had never heard of anything of that nature. He stated that in the absence of any knowledge of any such wound or complaint of any such wound, that he had no information to furnish and saw no reason for a personal appointment with the interviewing Agent.

b6
b7C

Interviewed on 4/14/72 at Attica, New York File # Buffalo 44-592

by SA CARL E. UNDERHILL:pas Date dictated 4/17/72

-9-

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 4/17/72

After numerous unsuccessful attempts to locate [redacted] he was telephonically contacted at his residence. [redacted] advised that he was unable to recall any additional information concerning the incident that he had recited when interviewed on March 23, 1972. [redacted] was queried as to one point concerning the inmate whom he had alleged was mistreated. [redacted] was asked what happened to this inmate after the alleged jabbing with the screwdriver. [redacted] stated that he did not really know or could not recall. He stated that he knew that the inmate was not carried any further, and he did not now recall whether the prisoner walked to the cell block or how he got to the cell block; but he can now remember that both the inmate and the man who had the screwdriver had disappeared into the cell block area.

[redacted] commented that he realized that in the absence of ability to identify anyone, the information was valueless.

Interviewed on 4/17/72 at Buffalo, New York File # Buffalo 44-592

by SA CARL E. UNDERHILL:pas Date dictated 4/17/72

-10*-

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b7cb6
b7c

F B I

Date: 4/18/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO : DIRECTOR, FBI (44-50605)

FROM : SAC, ALBANY (44-691) (RUC)

SUBJECT: UNSUBS; CORRECTIONAL OFFICERS
 ATTICA CORRECTIONAL FACILITY,
 ATTICA (WYOMING COUNTY), NEW YORK;
 UNKNOWN VICTIMS - INMATES OF ATTICA
 SUMMARY PUNISHMENT
 CIVIL RIGHTS
 (00: Buffalo)

Re Albany airtel to Bureau dated 3/31/72.

Enclosed to the Bureau and Buffalo are four
 copies and three copies respectively of an LHM concerning
 captioned matter.

Also enclosed to the Bureau are two copies each
 of ten color photographs of [redacted] along with negatives
 for same.

- 2 - Bureau (Encs. 24)
 - 2 - Buffalo (44-592) (Encs. 3)
 - 1 - Albany
- JER:kap
 (5)

2cc: ADO Civil Rights Division
 Form 6-94
 1 cc CIVIL RIGHTS U

REC-44

44-50605-138

10 APR 20 1972

MAY 8 1972

Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

*In Reply, Please Refer to
File No.*

Albany, New York
April 18, 1972

UNKNOWN SUBJECTS; CORRECTIONAL OFFICERS
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;
UNKNOWN VICTIMS - INMATES OF ATTICA
SUMMARY PUNISHMENT

Reference is made to a memorandum concerning
captioned matter dated March 31, 1972.

On March 30, 1972, ten color photographs were
taken of alleged injuries on the body of [REDACTED]
[REDACTED] Great Meadow Correctional Facility,
Comstock, New York.

b6
b7C

44-50605-138

TO : DIRECTOR, FBI (44-50605)

FROM : SAC, ALBANY (44-691)

SUBJECT: Two copies each of ten color photos
of [redacted] along with negatives.

b6
b7c

1cc sent to CRD 4-21-72
JJMF:sh

44-50605-138

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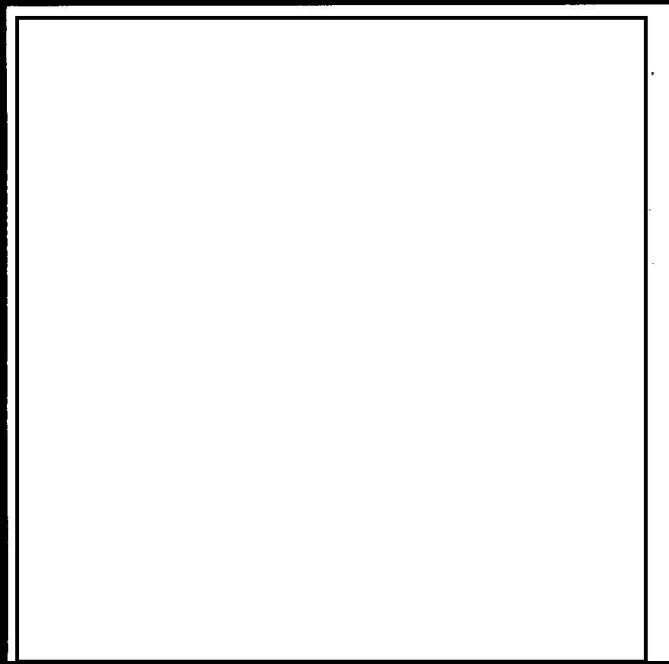
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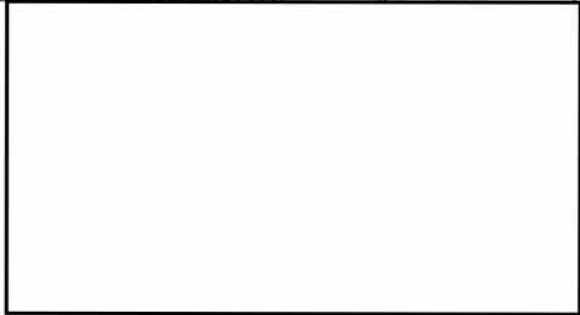
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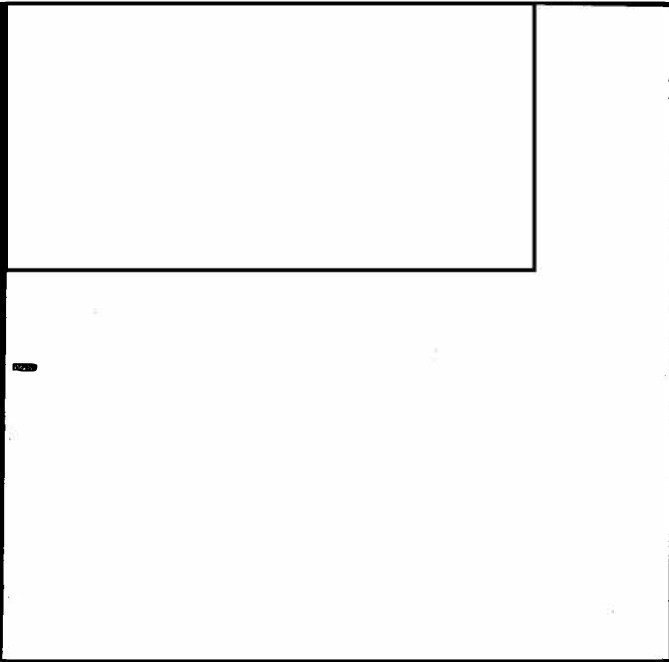
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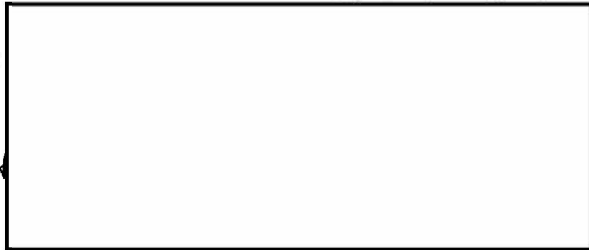


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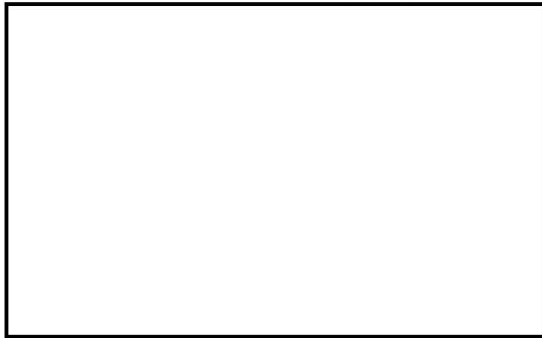


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WARNING

DOCUMENTS CANNOT BE SCANNED

DESCRIPTION

NEGATIVES

KODACOLOR Prints

MADE BY

Kodak

END

PARTIALLY SCANNED

F B I

Date: 4/24/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, BUFFALO (44-592 Sub 5)

UNSUBS,
 Correctional Officers,
 Attica Correctional Facility,
 Attica (Wyoming County), New York;
 UNKNOWN VICTIMS - INMATES OF ATTICA;

CIVIL RIGHTS

1cc: AAG Civil Rights Division
 Form 6-94 (A) JUNE 1971
 1 cc CIV. RIGHTS UNIT

44-50605-112, 98, 99
 Re Buffalo airtel and LHM dated 10/24/71. 15-1-72

Enclosed for the Bureau are the original and three copies of a self-explanatory LHM concerning captioned individual. Enclosed for Albany are two copies of the above-described LHM, plus two copies each of referenced Buffalo airtel and LHM for information.

A copy of this LHM has been furnished the United States Attorney, Western District of New York, Buffalo, by separate communication.

Subject currently incarcerated in the Great Meadow Correctional Facility, Comstock, N.Y., which is within the Albany Division.

UACB, captioned individual's letter is being acknowledged and he will be advised that his letters of 4/14/72 to former SAC BROUSE and 10/7/71 to Judge JOHN CURTIN have been furnished to the Civil Rights Division. It will be suggested to him should he have any further questions that they be directed to Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice, Washington, D. C. 20535.

No other action is contemplated by the Buffalo Division.

2 - Bureau (Encs-4) (AM)
 2 - Albany (Encs-4) (AM)
 1 - Buffalo (Encs-4) (AM)

Approved: _____

Special Agent in Charge

Sent _____ M Per _____



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

April 24, 1972

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
~~UNKNOWN VICTIMS - INMATES OF ATTICA;~~



b6
b7C

Reference is made to Buffalo memorandum dated
October 24, 1971, captioned as above.

The following letter from [redacted] dated April 14,
1972, was received by the Buffalo Office, Federal Bureau of
Investigation:

This document contains neither recommen-
dations nor conclusions of the FBI. It is the
property of the FBI and is loaned to your
agency; it and its contents are not to be dis-
tributed outside your agency.

44-50605-139
ENCLOSURE

Name Mr. Karl L. Brouse

Street & No. 400 United States Courthouse

City Buffalo 14-102 State N. Y.

When Replying Sign Your Full Name and Address
Give State's Full Name and Number

Box 51
Comstock N. Y. 12821

Date April 19, 1972

Honorable Karl L. Brouse

Please take notice that I have written a letter to the Honorable John V. Canton of the United States Courthouse in Buffalo, New York.

I have a matter that I would appreciate speaking to you about and I don't want to put it in this letter as the authorities here would know what it is all about, I would be very appreciative if I could speak to you in person.

Sincerely yours



- 2* -

DO NOT SEND CASH OR STAMPS

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b7C

Felt _____
 Baker _____
 Bates _____
 Bishop _____
 Callahan _____
 Cleveland _____
 Conrad _____
 Dalbey _____
 Jenkins _____
 Marshall _____
 Miller, E.S. _____
 Ponder _____
 Soyars _____
 Walters _____
 Tele. Room _____
 Mr. Kinley _____
 Mr. Armstrong _____
 Ms. Herwig _____
 Mrs. Neenan _____

Blasts Use Of Hostages

The McKay Commission takes great pains in its report to point out the many causes for inmate unrest and anger in Attica Prison before last year's riot. It added, however:

"The commission nevertheless condemns the taking of hostages as a means of bringing about changes in society, even where peaceful efforts at reform have failed. Whether carried out in a commercial jetliner, or in a prison, the holding of human lives for ransom is wrong and only leads to more violence and to a backlash that makes change more difficult."

The Washington Post Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 The Daily World _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____

Date **SEP 13 1972**

44-50605-A
 NOT RECORDED
 136 SEP 19 1972

60 SEP 20 1972
 162

File # 44-50605

ATTICA REVISITED

By John Carmody

"The time is 9:45 a.m.," says the faceless, official voice as the New York State Police camera picks out the first gas barrage at Attica state prison. Bodies fall in the fog. The panoptics chat with gunfire.

Tonight at 8:30, on Channel 26 (WETA), one of the really compelling documentaries of the year—and an "official film" at that—records with agonizing impartiality that 1971 prison riot, its causes and its aftermath.

The 90-minute film is part of the official report of the McKay special commission, ordered by Gov. Nelson A. Rockefeller two months after the rebellion at Attica that ended in the deaths of 32 inmates and 11 prison employees. That report was issued today—the anniversary of the Attica riot, the worst in U.S. history.

Following the PBS network broadcast, Martin Agronsky and a panel will discuss the report in a half-hour show.

The film is organized chronologically, from Attica's establishment following two riots in other prisons in 1929. Commentary is by dean Robert McKay of the NYU Law School, chairman of the commission, who skillfully interjects official judgments at appropriate moments.

A few of the 3,000 witnesses who appeared before the commission are heard. Through the use of film and drawings, the familiar, sorry litany of how prison tensions build is heard and seen: the unappetizing food, the poorly trained, all-white guards, the lack of

ingrained labor, the increasing breakdowns in discipline (these last are beautifully represented in drawings by an artist who has resisted the temptation to make a comment).

The troubles began in August, with a George Jackson memorial. Soon the inmates were awash in false rumors that a prisoner had been beaten or killed—just as a month later, waiting troopers were stirred by false rumors that the hostages had been tortured, even castrated.

On Sept. 9, a poorly welded bolt cracked on a gate and the inmates and the world were engulfed in a night mare.

All along the way, the report points out the flashes of humanity, cruelty, coincidence and complete misunderstanding that marked Attica's tragedy.

Certain scenes are remarkable: the rebellion leader shouting, "wait, wait, wait, until I give you the cue," to his followers, unaware that the commercial TV camera had already caught their raised fists and manufactured cheers; the "I didn't do it boss," remembered by a medic who treated a prisoner beaten by revengeful guards; the hostage who recalls that his hair was combed from behind by a prisoner while being told "we want you to be beautiful when you die."

But there are other sights—the discipline, the sometime kindness of the rebel leaders; the faces of the waiting troopers who really didn't know what they were going to face inside: the political overtones, inside and outside the walls—all are here in this balanced report.

Improvements have been made at Attica in the year that has passed—visiting rules have been relaxed, more black guards have been brought in and the prison population has been reduced.

They are small and inadequate, as dean McKay reports. But they show, as does this documentary, that this society still has the nerve to look at itself. That is about as much optimism as the present state of corrections and legal administration probably allows.

Felt _____
Baker _____
Bates _____
Bishop _____
Callahan _____
Cleveland _____
Conrad _____
Dalbey _____
Jenkins _____
Marshall _____
Miller, E.S. _____
Ponder _____
Soyars _____
Walters _____
Tele. Room _____
Mr. Kinley _____
Mr. Armstrong _____
Ms. Herwig _____
Mrs. Neenan _____

The Washington Post _____
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times _____
The Daily World _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date **SEP 13 1972**

TOP CLIPPING
DATED 9-13-72
FROM LARRY NEWS (NEW YORK)
MARKED FILE AND INDEXED

44-50605-A-
NOT RECORDED
136 SEP 19 1972

6 SEP 20 1972
161

"On Sept. 9, a poorly welded bolt cracked on a gate and the inmates and the world were engulfed in a nightmare."



United Press International

Heavily armed police stand watch at Attica during the worst prison riot in U.S. history

Felt _____
 Baker _____
 Bates _____
 Bishop _____
 Callahan _____
 Cleveland _____
 Conrad _____
 Dalbey _____
 Jenkins _____
 Marshall _____
 Miller, E.S. _____
 Ponder _____
 Soyars _____
 Walters _____
 Tele. Room _____
 Mr. Kinley _____
 Mr. Armstrong _____
 Ms. Herwig _____
 Mrs. Neenan _____

Commission Criticizes Rockefeller

Attica Police Action Assailed

By Stephen Isaacs *SI*
 Washington Post Staff Writer

NEW YORK, Sept. 12—New York State's official investigation of the revolt at Attica prison has concluded that the state almost callously disregarded human life in its handling of the uprising.

The investigating commission, appointed at the request of Gov. Nelson Rockefeller two weeks after he had approved using state troopers' firepower to reclaim the prison — one year ago Wednesday — also criticized Rockefeller's role in the events.

The report's most chilling section is on the police action in reclaiming the prison from the rebellious inmates.

In 15 minutes of wild shooting, 39 persons were killed by the troopers, 10 of them state employees who had been held hostage by the inmates.

The report describes mass chaos in the attack, including no communication between squad leaders and commanders, no way to tell men to stop firing, and no clear directions on when to fire.

In the prison yard, says the

commission's report, "troopers shot into tents, trenches, and barricades without looking first. In addition, even where the firing may have been justified ... the use of shotguns loaded with buckshot in the heavily populated spaces of D Yard led to the killing and wounding of hostages and of inmates who were not engaged in any hostile activity."

The nine-member investigating commission which was headed by Dean Robert B. McKay of New York Univer-

sity Law School, said that "the major significance of this report may lie in the fact that it documents in considerable detail every aspect of the life and structure of a major prison, based upon more precise information than has ever before been assembled about any single institution."

The commission interviewed about 1,600 inmates, 400 prison guards, 270 state troopers, 200 National Guardsmen and hundreds of others involved.

It found that the inmates' grievances were legitimate, in the main, and that the inmates had tried to work within the system to correct them to no avail. It found pervasive institutional and personal racism within the prison.

"That the explosion occurred first at Attica," said the report, "was probably chance. But the elements for replication are all around us. Attica is every prison; and every prison is Attica."

Before its detailed description and analysis of what happened at Attica between Sept. 9 and 13, 1971, when a total of 43 persons lost their lives, the commission expressed despair with the entire American system of dealing with lawbreakers, saying:

"Prison is the end of the criminal justice line — for inmates, for supervisory personnel, and for members of the public who have conveniently forgotten the institutions to which they abandon their most difficult fellow citizens."

The Washington Post Times Herald *2*
 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 The Daily World _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____

Date **SEP 13 1972**

44-50605-A
NOT RECORDED
136 SEP 19 1972

TOP CLIPPING
 DATED *9-13-72*
 FROM *NEW YORK TIMES*
 MARKED FILE AND INDEXED

SEP 20 1972
W

The commission found that: Conditions inside Attica leading up to the inmates' takeover were dehumanizing, debasing and volatile almost to the point of inevitable warfare.

- No plot or organized rebellion existed — the takeover was spontaneous, disorganized, badly managed by the inmates.

- The negotiating procedure between the state and the inmates evolved haphazardly and was misunderstood by almost all the parties involved.

- The retaking of the occupied prison yards was, as the commission vividly describes it, almost Kafka-esque in its disorganization and in its disregard for human life.

The assault involved about 300 troopers armed with shotguns and high-powered snipers' rifles, using ammunition that apparently helped increase loss of life, the report said.

Other Findings

The report said:

"... There was no procedure established for instructing the individual troopers of the assault forces on the action and behavior expected of them during the assault.

"In a closed session before the commission, one trooper described the confusion during the first alert... when he was suddenly told, 'We are going now.' He testified that the troopers had no idea who their leaders were or what their objectives were to be. 'We were just going to storm the prison,' he said."

On the assault day, the report said, "some of the commanders did not even know who was in their details."

"The police commanders expected their men to fire only at inmates engaged in overt, hostile acts against hostages and troopers. But there was no discussion or explanation of what constituted an overt, hostile act. That decision was left to the individual trooper..."

One Clear Order

The report said that troopers did get one clear order: to avoid hand-to-hand combat. "The necessary implication of that order was that physical restraint short of firepower was not available," the commission said.

The commission tested the shotgun ammunition used by the troopers and found that "at distances of 40 and 50 yards... the actual pattern (of the spray of the pellets) spread at those distances is larger than 4 feet in diameter..." The high-powered rifle bullets fired by troopers on the roofs, said the commission, were expanding bullets that have been prohibited by international treaty from use in war.

In addition, the commission said, the state had failed to call in medical help in advance of the attack.

"The story of the medical treatment of the wounded in-

mates... is a study in total lack of planning and concern," says the report. "And if no additional lives were lost in spite of these circumstances, it is largely due to the efforts of unsung heroes—volunteer doctors and young National Guardsmen on weekend duty—who brought one of the few rays of humanity into that inhuman day."

Four Hours Afterward

The commission said the first surgery on a wounded inmate began four hours after the shooting stopped, and the first inmate evacuated to a hospital emergency room was taken there 7½ hours after he was shot. "Many operations for gunshot wounds were not performed until the next day," said the report.

And the next day, the commission said, troopers and guards beat and harassed inmates unmercifully.

The commission described buckpassing by various state officials about responsibility for the reprisals, and their virtual ignoring of it as it was going on.

This lack of control was evident during the attack, the report said, in that a number of correctional officers participated in the shooting, even though Governor Rockefeller and other state officials had specifically insisted that they be prohibited from doing so, lest they be too emotionally involved to control themselves.

The commission's criticism of Rockefeller lies in his refusal to come to the prison, despite implorings from an observers' committee to do so, and from his own Commissioner of Corrections, Russell G. Oswald.

Reason Understood

"The commission can readily understand why the governor was unwilling to go to Attica prior to Commissioner Oswald's request on Sunday evening," says the report.

"The governor's presence could have undermined Oswald's authority in dealing with the observers and inmates.

"... In such circumstances, where state neglect was a major contributing factor to the uprising, the commission feels that the governor should not have committed the state's armed forces against the rebels without first appearing on the scene and satisfying himself that there was no other alternative and that all precautions against excessive force had been taken."

Perhaps the key portion of the report, in regard to the governor's and Oswald's decision to go in shooting, is:

~~"The decision was based~~
upon the belief that basic principles — not just lives — were at stake in the uprising. From the outset, the governor perceived the Attica uprising as more than a prison riot. The uprising constituted an insurrection against the very authority of the state, and to tolerate it was to concede a loss of sovereignty over the rebels...

State Reassertion

"The decision to retake the prison was not a quixotic effort to rescue hostages in the midst of 1,200 inmates; it was a decisive reassertion of the state of its sovereignty and power. While all state officials were concerned about the safety of the hostages, they had finally reached the conclusion that, after four days of negotiations, the need to reassert the authority of the state over the rebels outweighed the risks of an assault.

"Many inmates still believed, when (the attack commenced), that the balance of power was controlled by hostages, not guns. They failed to realize that once the state decided that the rebel-

lion was no longer tolerable,
the lives of the hostages were expendable."

The commission said that when it last visited Attica — last month — improvements had begun. Some black and Spanish-speaking guards had been recruited, more liberal visiting rules instituted, restrictions on correspondence and literature eased, new uniforms had been distributed, nutrition had been improved — and two showers a week per inmate instead of one were now allowed.

Recommendations

But, it says, unless far more drastic steps are taken, Attica and other prisons like it are likely to explode again. It recommends seven principles of penology that ought to be followed if there is to be any hope of preventing further Atticas.

1. Prisoners must have all the rights of other citizens except those specifically taken away by court order.

2. Confinement should be the least that is administratively necessary.

3. Confinement should be directed at elevating and enhancing the dignity, worth and self-confidence of the inmates, not at debasing and dehumanizing them.

4. Community groups and outside professionals should be allowed and encouraged to participate regularly in the life of each correctional facility.

5. Correctional officers must be trained, and must be persons motivated to help inmates.

6. Training programs should be conducted in accordance with the preceding principles.

7. Parole procedures must be measured by clear standards and prisoners told how to get it and, if they cannot be paroled, why not.

Gov. Rockefeller and Correction Commissioner Oswald both declined to comment directly on the report.

Rockefeller issued a three-paragraph statement thanking the commission for its work. He said an understanding of what happened at Attica was "essential to carrying out our programs for improving our system of criminal justice."

A spokesman said it was unlikely the governor would have further comment.



United Press International

State police, wearing gas masks, herd subdued inmates into a yard before stripping and search-

ing them at Attica State Prison, New York, in this 1971 photo just released by the commission

investigating the revolt of one year ago today.

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Gov Lauds Attica Probe

Without mentioning that he was criticized for failing to go to Attica, Gov. Rockefeller praised the McKay Commission for its report on last year's prison tragedy.

"I want to congratulate and express my deep appreciation to Mr. McKay, the members of the commission and staff for the dedication and devotion in their work."

Calling it a "monumental job of investigating and reporting," Rockefeller said the report is essential to improving the criminal justice system.

ATTICA PRISON

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Members of the McKay Panel

Robert McKay, dean of New York University Law School, chairman.

The Rev. Edwin B. Broderick, Catholic bishop of Albany.

Robert L. Carter, member of law firm of Poletti, Friedin, Prashker, Feldman & Gartner, New York.

Mrs. Amalia Guerrero, president, Society of Friends of Puerto Rico; member State Park Commission.

Amos Henix, former inmate and now execu-

tive director of Reality House, a Manhattan drug rehabilitation program.

Burke Marshall, deputy dean of Yale Law School and former head of the Civil Rights Division of the Justice Department.

Walter Rothschild, chairman of the board of the New York Urban Coalition and formerly president of Abraham & Straus.

Mrs. Dorothy Wadsworth, director of development, Rochester Institute of Technology.

William Wilbanks, doctoral candidate at the School of Criminal Justice, the State University at Albany.

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Attica Report Hits State Officials Raps Rocky's Failure To Visit Prison

By DONALD SINGLETON

The State Special Commission on Attica censured yesterday the manner in which state officials handled last year's bloody Attica Prison uprising, and specifically criticized Gov. Rockefeller for his refusal to go to Attica and make a last-ditch attempt to bring the rebellion to an end without bloodshed. The commission felt that it was the governor's responsibility to be "at the scene of the critical decision involving a great risk of loss of life."

The commission's massive final report, issued one year to the day after the police recapture of Attica, is a painstakingly thorough reconstruction of the events at Attica before, during and after the inmate rebellion and police siege in which 43 persons lost their lives.

In the 515-page report, the commission states its belief that the riot was not planned but was rather "a spontaneous burst of violent anger" from a new breed of inmate, described as being "largely black" and "full of deep feelings of alienation and hostility against the established institutions of law and government, enhanced self-esteem, racial pride and political awareness and an unwillingness to accept the petty humiliations and racism that characterize prison life."

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Attack on Rockefeller

Various chapters of the report deal with the series of unforeseeable accidents that allowed the inmates to gain control of the prison, with the apparent administrative blunders by Correction Department and state police officials, with breakdowns in official lines of communication, with "clearly indiscriminate firing into congested areas by men who did not value the inmates' lives," and with the brutal reprisals that followed the worst prison riot in American history.

But the most striking element of the report was the commission's statement of belief that Gov. Rockefeller was wrong in not going to Attica in response to repeated requests by civilian observers and various officials, including Correction Commissioner Russell G. Oswald, who, Rockefeller said over and over in his testimony to the commission, was in absolute charge of the state's operations at Attica.

"Many of the inmates' grievances were acknowledged to be legitimate by both the commissioner and the governor," the report states. "In such circumstances, where state neglect was

a major contributing factor to the uprising, the commission feels that the governor should not have committed the state's armed forces against the rebels without first appearing on the scene and satisfying himself that all precautions against excessive force had been taken."

The commission noted that the issue of complete amnesty, and not the governor's presence, had been "the paramount issue at all times, and there was no evidence before the governor that the inmates were prepared to accept less." The commission also stressed its belief that it is not suggesting "that the governor's failure to appear at Attica was the cause of the deaths and casualties that followed."

Nevertheless, the report concluded: "In summary, the commission believes that the governor should have gone to At-

tica, not as a matter of duress or because the inmates demanded his presence, but because his responsibilities as the state's chief executive made it appropriate that he be present at the scene of the critical decision involving great risk of loss of life, after Commissioner Oswald had requested him to come."

The commission, known as the McKay Commission after its chairman, Dean Robert McKay of the New York University Law School, also made the following major findings in its report:

- The riot was ~~not planned~~:

"The commission has found no evidence that the Attica uprising was planned, either by avowed revolutionaries or anyone else. All of the objective evidence, especially the course the uprising actually took, points in the other direction."

- The governor was correct in not granting the total amnesty demanded by the prisoners: "Even if the governor had the power, the commission agrees that amnesty should not have been granted in the circumstances of Attica. The uprising at Attica was accompanied by acts of vio-

lence resulting in the death of one correction officer and serious injuries to others (and) as it turned out, three inmates had been brutally murdered in D Block. Total amnesty would have excused all of these crimes."

- Excessive force definitely was used in the police siege: "There was no justification for the many instances of shooting into tents, trenches and barricades without looking. The... repeated discharge of '00' buckshot pellets into D Yard at ranges far exceeding the weapons intended use unquestionably wounded, and perhaps killed, many inmates who were not engaged in any acts of hostility or resistance whatever."

- There were repeated communication breakdowns. False rumors were spread by officials. Although state police plans dictated that correction officers were not to fire weapons during the siege, the plan "was never translated into orders which reached the officers of either the correctional service or the state police who were in direct command."

- Observers were unsure of their job: "The (observers) committee was unwieldy in number—over 30 members—and wracked with ideological differences be-

tween those who identified completely with the inmates and those who were proponents of the position of the state."

- Inmate leaders were not singled out to be shot during the assault: "... except for (inmate L. D.) Barkley, none of the more than 15 members of the (inmate) negotiating committee, who had been seen on television for four days, was killed or even wounded."

Inadequate Medical Plan

- There was no adequate medical plan: "... when the shooting stopped, leaving over 120 inmates and hostages dead or wounded, the corps of medical personnel at the facility ready to treat casualties consisted of the two prison doctors, two male nurses and one X-ray technician from the prison hospital" as well as three orderlies and two local veterinarians. "The story of the medical treatment of the wounded inmates... is a study in total lack of planning and concern."

- Authorities took no steps to prevent reprisals: "No effective steps were taken on Sept. 13 to see that reprisals did not occur and no satisfactory explanation has been given for that failure." The commissioner also said: "Having failed in their responsibility to prevent reprisals, correction and police officials took no steps to identify and discipline those involved."

The report, together with a 90-minute television special to be aired tonight on public television stations, was filled with stories of specific incidents of brutality against inmates in the aftermath of the police recapture of the prison.

The hearings followed interviews by commission staff members of 1,600 inmates who were inside Attica during the riot, as well as 400 correction officers, 50 civilian employees of the prison, 270 state troopers, 100 sheriff's personnel, 24 members of the observers committee, 200 national guardsmen and several Attica townspeople, as well as Rockefeller, Oswald and members of their top-level staffs.

The nine members of the commission were appointed last Sept. 30 by Chief Judge Stanley H. Fuld of the Court of Appeals, on the instructions of Rockefeller.



Correction Officer Elmer Huehn looks over D yard at Attica prison, where a year ago he was held
hostage of inmates during uprising.

Associated Press Wirephoto

Excerpts From Report of Commission Studying Origin and Aftermath of Attica Riot

Following are excerpts from the 514-page report of the New York State Special Commission on Attica:

In prison, inmates found the same deprivation that they found on the street. Meals were unappetizing and not up to nutritional standards. Clothing was old, ill-fitting, and inadequate.... To get along in the prison economy, inmates resorted to "hustling," just as they had in trying to cope with the economic system outside the walls.... Above all, for both inmates and officers, "correction" meant an atmosphere charged with racism.... In the end, the promise of rehabilitation had become a cruel joke. If anyone was rehabilitated it was in spite of Attica, not because of it.

Contrary to popular views, the Attica uprising was neither a long-planned revolutionary plot nor a proletarian revolution against the capitalist system. After talking with inmates, correction officers, administrators, observers and experts, and after much reflection the commission has concluded that:

¶ Rather than being revolutionary conspirators bent only on destruction, the Attica rebels were part of a new breed of younger, more aware inmates, largely black, who came to prison full of deep feelings of alienation and hostility against the established institutions of law and government, and with an enhanced self-esteem, racial pride and political awareness, and an unwillingness to accept the pretty humiliations and racism that characterize prison life.

¶ Like the urban ghetto disturbances of the nineteen-sixties, the Attica uprising was the product of frustrated hopes and unfulfilled expectations, after efforts to bring about meaningful change had failed.

¶ The uprising began as a spontaneous burst of violent anger and was not planned or organized in advance....

¶ The highly organized inmate society in D-block yard developed spontaneously, after a period of chaos, rather than by prearrangement....

In reaching these conclusions concerning the causes of the uprising, the commission nevertheless condemns the taking of hostages as a means of bringing about changes in society, even where peaceful efforts at reform have failed. Whether carried out in a commercial jetliner or in a prison, the holding of human lives for ransom is wrong and only leads to more violence and to a backlash that makes change more difficult.

Almost all correction officers interviewed by the commission said that no riot plan of any kind had been communicated to them and the great majority said that no plan ever existed. There had never been any plans for correction officers or any training session on how to handle a prisonwide disturbance. As a result, they were forced to rely on the gates. When Times Square [the junction of two buildings in the center of the prison compound] fell, the authorities were, for all practical purposes, paralyzed.

The negotiations were not planned — they just developed. When the Commissioner [Russell F. Fitch] first arrived, the police were

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not prepared to retake the prison. By the time sufficient assault forces had been summoned, the negotiations were under way and the Commissioner chose to continue them, reluctant to the end to undertake any action which would imperil lives.

Many inmates were fearful of mass prosecutions which would catch in their dragnet even passive participants in the uprising. These fears were played upon by inmate orators, particularly after the death of Officer William Quinn, who had been struck in Times Square on Sept. 9. . . . The Governor stated that he did not have power under the Constitution to grant the inmates amnesty, and that as a matter of principle he would not have granted amnesty even if he could. . . .

The commission agrees that complete amnesty for crimes such as assault and homicide should not have been granted in the circumstances of Attica. The commission believes, however, that prosecution could have been waived for lesser crimes, such as taking hostages without harming them. But that alternative was not sufficiently explored by either side.

Following the session with the observers on Sunday evening, Oswald telephoned the Governor. Oswald testified — concerning this call:

"I suggested that it might be appropriate for someone as warm and understanding as Governor Rockefeller to walk that last mile and come, although I went on to express the view that I didn't feel that it was going to be productive."

No one can be sure whether the Governor's presence would have succeeded in producing a settlement that had eluded Oswald and the observers. Present or not, the Governor was unwilling to

grant amnesty, the critical inmate demand. . . . Nonetheless, the Governor's decision not to go to Attica has tended to overshadow all other issues as a subject of public debate.

The commission can readily understand why the Governor was unwilling to go to Attica prior to Commissioner Oswald's request on Sunday evening. The Governor's presence could have undermined Oswald's authority in dealing with the observers and inmates. But when the Governor refused Oswald's request that he come, he was spurning the recommendations of the man on whom he had relied to bring about a peaceful resolution, and departing from his usual policy of giving full support to his appointee.

The commission does not underestimate the problems that would have faced the Governor had he gone to Attica. The observers stated to the Governor that they were asking only that he meet with them—not with inmates. But it is probable that the presence of the Governor at Attica would have precipitated a demand by inmates that he enter the yard. The pressure would have been intense, as the Governor's refusal to comply with the request could have been characterized by inmates as indication of bad faith, precluding a peaceful settlement and jeopardizing the lives of hostages.

A Difficult Decision

Recognizing that the decision was not an easy one for the Governor to make, the commission nevertheless believes that conditions made it appropriate for the Governor to go to Attica.

At the time of the uprising, the Governor realized that the prison system had long been neglected and was in need of major reform. Many of the inmates' grievances were acknowledged to be legitimate by both the Commissioner and the Governor. In such circumstances, where state neglect was a major contributing factor to the up-

rising, the commission feels that the Governor should not have committed the state's armed forces against the rebels without first appearing on the scene and satisfying himself that there was no other alternative and that all precautions against excessive force had been taken.

It is possible that even without a grant of amnesty, the Governor's presence at Attica would have overcome inmate mistrust of the state's commitment to reform and induced acceptance of the 28 points. Some inmates have expressed this view to the commission.

Officers' Reactions Cited

But even if a settlement were not achieved, the commission believes that the presence of the Governor would have had a stabilizing effect on the troopers and correction officers taking part in the assault and rehousing of inmates, many of whom were bitter toward Commissioner Oswald for his negotiations with the inmates, but respectful of the Governor.

Finally, the commission believes that the Governor should, at the very least, have accepted the "modified proposal" presented to him by his aides late Sunday night—that he offer to go to Attica to negotiate further on the 28 points if the inmates would first release the hostages and then return to their cells. . . .

By these conclusions the commission does not mean to suggest that the Governor's failure to appear at Attica was the cause of the deaths and casualties that followed. Full amnesty was the paramount issue at all times and there was no evidence before the Governor that the inmates were prepared to accept less. However, even if one could be certain the Governor's appearance would not have led to a settlement, the gravity of the situation warranted the Governor's presence before the decision was reached to commence the assault.

Conclusions Summarized

In summary, the commission believes that the Governor should have gone to Attica, not as a matter of duress or because the inmates demanded his presence, but because his responsibilities as the state's chief executive made it appropriate that he be present at the scene of the critical decision involving great risk of loss of life, after Commissioner Oswald had requested him to come.

Although high - ranking state officials from several agencies were on the scene at Attica, the entire planning of the police action to retake the institution was left to the local state police troop commander. In devising the tactical plan, he could use only the personnel and equipment available to the state police and did not have the benefit of advice or review by civilian or military authorities....

The assault planners acknowledged that they did not possess the capability of reaching the hostages in time to save their lives, if the inmates were in fact set upon killing them. Since there could be no certainty of saving the hostages, in reality the first priority in drafting the assault plan was to minimize the risk of injury to the assault forces themselves.

There was no effective commander-in-chief; there were only department heads. No one was responsible for seeing that everything was done, and many things were simply left undone. Such problems, for instance, as control of firepower, evacuation and medical care of injured, returning inmates to cells, and the notification of the next of kin of fatalities were considered only as they arose, and entirely too late.

In essence the police used what was available. Although the scatter pattern of buckshot was well known, no efforts were made to obtain carbines or other rifles....

Surely none of the planners could have denied that he been asked at the time, that the use of shotguns not only increased the risk, but virtually assured the death or serious injury of innocent persons in the congested confines of D-yard.

Most of the top-level administrators interviewed by the commission were asked who they thought was responsible for seeing to it that medical care was provided for wounded inmates. The responses varied, but all of them can fairly be characterized as passing the buck.

Having failed in their responsibility to prevent reprisals, correction and police officials took no steps to identify and discipline those involved.

If a riot does occur, the following principles, derived from the failures at Attica, commend themselves not as rigid rules, but as general guidelines for conducting negotiations:

¶When to negotiate: If the prison can be retaken immediately without lethal force, the authorities should do so....

¶Neutral Ground: The commission believes that negotiations conducted before hundreds of inmates are not likely to be productive....

¶The Press: The presence of television cameras and the press has a tendency to encourage rhetoric rather than serious concessions.... To maximize chances of agreement, negotiations must be conducted privately without the presence of the press but with appropriate briefings to the press.

¶Observers: The commission believes that direct negotiations between inmates and the state are preferable to the use of outsiders. However, if outsiders are required in the negotiations, their function and authority must be clearly defined and agreed upon by them....

¶Clear Warning: Before terminating negotiations, and commencing an assault, the inmates must be made to understand that the alternative to a settlement is an armed assault with guns....

¶Mistrust: The state negotiators must be ever mindful that the gulf of mistrust between the inmates and authorities is not easily bridged, and that setbacks in the negotiations are inevitable. Patience is essential.



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After the shooting stopped, dead and wounded men lay on the catwalks as efforts to resecure the prison continued. The commission said that inadequate planning for medical treatment resulted in some of the wounded not receiving any until about four hours after the assault.



Attica inmates holding blindfolded hostages in "Times Square," junction of four catwalks in the prison's center, minutes before the assault to retake the facility. These official police photos were not part of the special state commission's report but were made available by the commission to Bantam Books, Inc., for publication today in a book containing the report.

INQUIRY ON ATTICA SCORES GOVERNOR OVER 1971 REVOLT

Report Says He Should Have
Visited Site Before Order
Was Given for Assault

RIOT HELD UNPLANNED

Group Finds Inmates Were
Organized Spontaneously
in Captured Prison Yard

By MICHAEL T. KAUFMAN

The New York State Special Commission on Attica concluded in its final report released yesterday that Governor Rockefeller should have gone to the upstate prison before ordering an armed assault on rebel inmates.

This determination, as well as a variety of others on the origins, development and aftermath of the uprising, was conveyed by the commission in its 518-page report issued to coincide with today's anniversary of the assault, in which 30 inmates and 10 hostages died. Over-all, 11 prison employees and 32 inmates lost their lives as a result of the uprising, the bloodiest in American prison history.

In addition to the view of the Governor's decision not to go to Attica, a point that the commission regarded as tending "to overshadow all other issues of public debate," the report, adopted unanimously by the nine members, made the following judgments:

"The eruption of violence by inmates was not planned, but occurred spontaneously. Like the disturbances in the slums in the 1960's, it 'was the product of frustrated hopes and unfulfilled expectations after efforts to bring meaningful change had failed.'"

"The highly organized inmate society in the captured prison yard also developed spontaneously."

"There appeared to be no plan for dealing with riots or drills by the custodial staff at Attica prior to last September."

"Negotiating efforts by a citizens committee were not planned but evolved when sufficient state forces could not be massed at the prison during the first day."

"Once negotiations began, no effective mechanisms were worked out either by the inmates, who refused to delegate responsibility, or by the citizens committee, whose role was never defined."

"Coverage of the negotiations by the media created an 'air of unreality' and encouraged rhetoric rather than reasonable dialogue."

"The assault plan itself was faulty since it could not have saved hostage lives if inmates were in fact set on killing."

"No nonlethal weaponry was available to the state police and the guns and ammunition used were such that they made inevitable the deaths and injuries of innocent people."

"There was no unified command responsible for coordinating the assault and the various state agencies involved. There was no prior planning for medical attention and rehousing of inmates."

"Despite the inmates' frequently expressed fear of reprisals following the five-day uprising officials took no effective steps to prevent such reprisals, which did take place."

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The commission's most direct criticism of the inmates said it "condemns the taking of hostages as a means of bringing about changes in society, even

where peaceful efforts at reform have failed."

The commission, selected last Sept. 30 by a panel of the state's ranking judges, was charged by Governor Rockefeller with conducting "a full and impartial investigation" of the events surrounding the rebellion and making "a complete report to the public."

To that end, the commissioners and a staff headed by Arthur Liman, the general counsel, interviewed more than 3,000 inmates, correctional employees, state troopers, National Guard troops and the townspeople of Attica.

From the outset of its inquiry, the group, generally known as the McKay Commission after its chairman, Robert B. McKay, the dean of New York University Law School, was beset by problems that stemmed from what some considered the ambiguous sources of its power.

There were groups claiming to represent inmates who refused to cooperate with the commission, prejudging its work as a "whitewash." They said that since the commission was ultimately a creation of the Governor, it would not have unlimited independence.

Furthermore, there has been continuous friction between the McKay group and the staff of Robert E. Fischer, the deputy attorney general who has been conducting an investigation of wrongdoing at Attica, under a separate executive mandate.

Records Are Subpoenaed

Last May, Mr. Fischer's panel sought to prevent the McKay Commission from holding televised public hearings on the ground that this would jeopardize his efforts. And last week, Mr. Fischer subpoenaed the records of confidential interviews now in the possession of the McKay panel.

Mr. Liman is seeking to quash this subpoena on the ground that earlier assurances were given that such material would be kept from prosecutors.

In light of this, special attention has been focused on those aspects of the report dealing with the Governor's actions. During the public hearing phase of its inquiry, the commission released the transcript of its questioning of the Governor and his staff.

At that time, Mr. Rockefeller declared that he had rejected the requests of his aides that

he journey to Attica because "I was trying to do the best I could to save the hostages, save the prisoners, restore order, and preserve our system without undertaking actions which could set a precedent which would go across the country like wildfire."

The commission report, which was agreed to unanimously after a section-by-section discussion involving the nine commissioners, emphasized that the decision facing the Governor was a very difficult one. But the report added:

"The commission nevertheless believes that conditions made it appropriate for the Governor to go to Attica. At the time of the uprising, the Governor realized that the prison system had long been neglected and was in need of major reform."

Annex Stand Backed

The commission agreed generally with the Governor's view that he could not and should not guarantee amnesty for major criminal acts, though it noted that the possibility of amnesty for less serious acts had not been sufficiently explored by anyone.

But even conceding that the probability of settlement without amnesty was virtually nonexistent, the commission said it believed "that the presence of the Governor would have had a stabilizing effect on the troopers and correction officers taking part in the assault and releasing of inmates."

"In summary," this section of ~~the report~~ said, ~~the~~ Governor should have gone to Attica, not as a matter of duress or because the inmates demanded his presence, but because his responsibilities as the state's chief executive made it appropriate that he be present at the scene of the critical decision involving great risk of loss of life, after [Correction] Commissioner [Russell G.] Oswald had requested him to come."

The Governor yesterday issued a three-paragraph statement in which he expressed his "appreciation" to the commission for what he called "this monumental job of investigating and reporting." The Governor's statement said the report "will help in understanding the problems and events leading up to and during the rebellion at Attica," which, he said, was essential "to carrying out our programs for improving our system of criminal justice."

A spokesman for the Gover-

~~nor~~ said that this congratulatory statement would be the sum of Mr. Rockefeller's comments and that he would not address himself to the specifics of the report inasmuch as his earlier statements had been widely disseminated by the commission.

Meanwhile in Albany, Mr. Oswald said at a news conference that since there could have been no giving in on the amnesty issue the journey of the Governor to Attica "would have accomplished nothing." Last May, under questioning by the commission, Mr. Oswald said he had urged the Governor to visit the prison although, he said, he did not feel such a visit would be productive.

The commission's report has been published in soft cover by Bantam Books and will be commercially available starting today. A hard-cover edition will be published ~~later by~~ Praeger.

To accompany the ~~written~~ report, the commission has prepared a 90-minute television presentation of police films and excerpts from hearings that will be shown nationally tonight on the National Educational Television network.

The members of the commission, in addition to Dean McKay, were: the Most Rev. Edwin B. Broderick, Roman Catholic Bishop of Albany; Robert L. Carter, member of a New York City law firm; Mrs. Amalia R. Guerrero, president of the Society of Friends of Puerto Rico; Amos Henix, a former inmate and executive director of Reality House; Burke Marshall, deputy dean of Yale University Law School; Walter Rothschild, chairman of New York Urban Coalition; Mrs. Dorothy Wadsworth, involved in community projects in Rochester, and William Wilbanks, graduate student in criminal justice.

An Anniversary for Attica

43 By JACK NEWFIELD

Elliot Barkley died a year ago today. He died in the yard of D block at Attica. Barkley was 21 years old and black. He was in Attica for violation of parole. He had violated parole by being unemployed, and he was unemployed because he was fired when his boss discovered he was an ex-con.

A year ago today, Walter Dunbar, the deputy commissioner of corrections, stood outside the gray, 30-foot wall of Attica and informed the media that inmates had murdered nine hostages by slitting their throats, and that one hostage was castrated, his testicles stuffed in his mouth. Dunbar said the storming of the prison was "an efficient, affirmative police action."

A year ago today Nelson Rockefeller released a statement from his home on Fifth Avenue that began: "Our hearts go out to the families of the hostages who died at Attica." He pointedly offered no sympathy for Elliot Barkley's mother, living in Buffalo's black ghetto, or for the children and widows of the 29 inmates who died by his decision.

It is now a year later, the picture have slowly emerged, and I think it is clear who should be punished.

Every hostage who died on Sept. 13, 1971, was killed by state police guns. The official version of slit throats and castration was disproved by the autopsies. We now know thanks to the McKay Commission hearings that between fourteen and seventeen corrections officers, without permission, fired into the yard of D block with their own hunting guns, and that they killed two inmates. We now know that the state police were firing dum-dum bullets, which are outlawed under international law and the Geneva Convention. We now know that 450 rounds of ammunition were fired into the yard in that "efficient" action, hitting one out of every ten inmates. We now know the inmates had no guns and fired no bullets. We now know after a public screening of the official film

of the police assault, that the first warning to the inmates to surrender came after four minutes and twenty seconds of heavy shooting. We now know that it wasn't only the inmates, and the hostages, and observers' committee who pleaded with the Governor to come to Attica, but that Corrections Commissioner Russell Oswald, on three separate occasions, implored the Governor to come.

There is also now sufficient evidence to suggest another factor in the Attica massacre not mentioned by Governor Rockefeller or Commissioner Dunbar. That factor is racism.

On Sept. 13, 1971, 70 per cent of the 2,254 men in Attica were blacks and Puerto Ricans; whites somehow end up in nice prisons like Walkill. But not one of the guards at Attica was black or Puerto Rican. And not one of the 2,800 residents of the town of Attica was nonwhite. The guards in Attica called their batons "nigger sticks."

Of the 600 state police who stormed Attica, not one was black. When they surged into the yard, they were chanting, "White power, white power."

The racism even extended beyond death. In the Attica morgue, the dead guards were tagged with their names. The dead inmates were tagged, "P-1," "P-2," and so on.

Conditions inside Attica today are worse than before the riot. Most of the 28 inmate demands that Commissioner Oswald quickly agreed to, and admitted were "long overdue," have still not been implemented. There is still no narcotics program for inmates, the food is still served with glass, bugs and hair in it, there are still frequent complaints of brutality and race-baiting by guards.

More than eighty Attica inmates, presumed "militants," have been locked in solitary confinement for the last 365 days. Most have been dispersed among other upstate prisons, but twenty are still held in Attica's isolation unit. The men are in 6 by 8 cages that have no chair, no mirror,

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Ms. Herwig _____
Mrs. Neenan _____

ATTICA PRISON

The Washington Post _____
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
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Sunday News (New York) _____
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The New York Times 43 _____
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The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date

SEP 13 1972

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136 SEP 19 1972

TOP CLIPPING

DATED 7-13-72

FROM DAILY NEWS (NEW YORK)

MARKED FILE AND INITIALED

no desk. The windows in their cells have been painted over so they have not seen the sun in a year. The cells are arranged so the men cannot see each other. They are permitted to exercise ten minutes a day, and granted one three-minute shower a week. Some have lost as much as 50 pounds. And they have not been formally charged with anything or given a hearing.

One of the most deeply felt of the 28 demands was the removal of the two prison doctors, Sternberg and Williams. They are still there. One inmate in isolation went to Dr. Williams with severe chest pains. He was refused medication and told: "You should have died in the yard, nigger." Another inmate has a chronic bone infection in his leg. For months he was denied antibiotics, and given twenty aspirin a day. He will soon have his leg amputated.

Attica was not unique in our recent history. Several times we have watched the state kill, and the killers receive the special amnesty of the powerful. At the Algiers Motel, at Orangeburg, at Kent State, at Jackson State, the law acted as an outlaw and escaped accountability.

On this first anniversary of Attica, I meditate on the short life of Elliot Barkley, and know that Nelson Rockefeller will never be held to account.

Jack Newfield is an editor of The Village Voice.



Drawing by Brad Holland for a poster published by a group of former Attica prisoners

Counsel to Attica Study Group

341 Arthur Lawrence Liman

By LAURIE JOHNSTON

For Arthur L. Liman, general counsel to the New York State Special Commission on Attica which released its report yesterday, the personal sense of a job well done is shadowed by a mood of doubt.

"This was to be the time our work was done, a time of relief if not of honors—no one can take honors in the out of Attica," he said. "Instead, here I am, reacting with the most emotion of my life and confronting myself with a troubling thought: Public service may not be a place for a man of conscience."

Mr. Liman has called it "an incredible betrayal" that the special state prosecutor preparing criminal cases stemming from the uprising has subpoenaed the records of 3,000 confidential interviews conducted by the commission.

"I have not slept well since the state proposed to use this commission as a Trojan horse, to get at 3,000 people to whom I'm responsible for giving the commission's word," he said yesterday in his law office 32 stories above Park Avenue.

Confidence Is Won

"I looked into the eyes of a lot of prisoners," he added in his rather soft light voice. "They are saying to the Establishment: 'How can you understand us? How can we trust you? There is little for them to identify with in my background. But we won them over.'"

Now 39 years old, Mr. Liman is a partner in the law firm of Paul, Weiss, Rifkind, Wharton & Garrison, which he joined immediately after graduating magna cum laude from Yale Law School in 1957.

the individual most responsible for the research and the written report of the commission, which was headed by Robert B. McKay, dean of the New York University Law School.

A tall, trim man in a sober gray suit, Mr. Liman has a serious, generous, featured face that breaks up in a broad, warm but slightly diffident smile.

"I have a love affair with the law. The law is my life," he said. "The state, even beyond the commission, was my client and one can only operate on a basis of trust with a client."

Mr. Liman has reportedly said he would destroy the records of the confidential interviews, or even go to jail, before he would turn them over to anyone outside the commission. He declined to speculate on future legal developments, saying only, "I don't think it will come to the point where the state will require this commission to dishonor its reputation."

"He just might go all the way with it," said Amos Henix, a black member of the commission who is a former convict and now director of Reality House, a drug rehabilitation center in Harlem.

"He's a beautiful person—that's right up front when you know him," Mr. Henix said. "It hurt me that Governor Rockefeller, in his response to our questions, was disrespectful to Mr. Liman and his position as counsel."

Born Nov. 5, 1932, and brought up in Lawrence, L.I., Arthur Lawrence Liman was graduated magna cum laude from Harvard College, where he was elected to Phi Beta Kappa.

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ATTICA PRISON

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Date _____

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136 SEP 19 1972

TOP CLIPPING
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~~He and~~ his wife, the former Ellen Fogelson, live with their two sons and a daughter, aged 7 to 11, at 135 Central Park West in a turn-of-the-century apartment house.

"I'm addicted to the architecture, the moldings — and the noise from the pipes that goes with it," he said.

Mrs. Liman, a Barnard College graduate and interior designer, is the author of "The Money-Saver's Guide to Decorating" (Macmillan) and is working under contract on two more books.

The long hours required for the commission's work, Mr. Liman said, have cut into his time for family bicycling, fishing and tennis, as well as opera and theater.

Describing the commission's staff as "remarkable young men and women," Mr. Liman said he hoped the report would not be "one of those that changes nothing."

"Besides the direct victims of crime, every person who feels himself a prisoner in his own apartment has a self-interest in changing the system," he said. "And not just the prison system — which is the end of the line and just a sample of those caught up in the cycle."



The New York Times

"The law is my life"

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ATTICA PRISON

The News Business

Attica Report: Whose Credibility Is in Question?

A-14

NEW YORK, Sept. 12—In an era when the government is so ready to castigate the press for supposed irresponsibility, for lacking credibility, for its effete intellectualism and for who knows what else, along comes the official New York State report on the Attica prison uprising, which leaves you wondering whose credibility, whose responsibility is in question.

That imposing document, called The Official Report of the New York State Special Commission on Attica, is being made public today—the anniversary of the bloody day one year ago when State Policemen liberated the hostages and the prison from the inmates.

Three days after the police attack on Attica, I heard that one of the guards who had been held hostage by the rebelling inmates had been hit with a "dumdum"—an expanding bullet considered so maiming that the 1906 Geneva Convention banned them from use in international warfare.

The guard, Michael Smith, had allegedly been hit in the abdomen. The bullet had expanded on entry, ripping out large portions of his lower intestine. The bullet had splintered "well," according to my source. So many fragments were in young Smith's body that only about half of them could be removed by surgeons, and the other half (about 30) were left in his body.

AS REPORTERS do in such cases, I proceeded to try to "check out" the report. It checked out.

I then called the office of Robert Fischer, the deputy attorney general of New York State, to get the "state's" side of the story. Gov. Nelson Rockefeller had assigned Fischer the job of investigating any possible law violations in the whole Attica incident.

By Stephen D. Isaacs

Fischer's press spokesman, Emerson Moran, said he doubted that what I told him was true, and demanded the source of my information. "I can't and won't tell you, but it is, in fact, true," I said. "The man is lying there in St. Jerome's Hospital with 30 shell fragments still in him."

Moran said he would check out the report and get back to me. Several hours later, he called and said:

"To our knowledge, it's about as erroneous as it can be. We are aware of the facts of the type of ammunition provided, the type of weapons used. To our knowledge, all used standard weaponry."

Moran read a statement from Fischer, saying, in effect, that all facts would be investigated in due time.

Moran also asked me not to report the story. The Washington Post, he said, would be "acting irresponsibly" to publish such unconfirmed, inflammatory material. He said he could not urge me strongly enough to quash the article—it just was not true.

The decision was put to The Post's national affairs editor, who decided to go ahead. The state's denials were included, as we say, "high up" in the story.

The New York Times, the following day, in a story on Attica, carried a mention of the dumdum report "well down" in its story. In it, the state absolutely denied that its troopers fired any such bullets on Sept. 13. End of incident: Dumdum report white-washed.

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SEP 13 1972

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136 SEP 19 1972

TOP CLIPPING

DATED 9-13-72

FROM DAILY NEWS (NEW YORK)

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NOW COMES The Official Report by the commission headed by New York University Law School Dean Robert B. McKay.

On pages 353-356, the McKay commission calmly reports that every trooper on those walls a year ago who was equipped with a .270 caliber rifle that day was firing expanding bullets—dumdums.

The type of ammunition used by the troopers, said the commission, was tipped "with the unprotected soft lead nose . . . and tends to expand greatly upon impact." The commission even quotes the advertising brochure for such bullets called Silvertips:

"... Its special alloy jacket prevents premature expansion while the bullet penetrates through thick hide and tissue in deep and vital areas. Silvertip mushrooms perfectly and releases tremendous energy that stops them cold."

Moran, queried by this reporter yesterday, said he sat through the commission's hearing, and still isn't sure whether the bullets used were dumdums.

Smith, the injured guard, is. Reached at his home near Attica, where he has been for the last year, he said:

"They might say it was an expanding type bullet, but they don't want to call it a dumdum, and what the hell's the difference?"

Smith has undergone two operations so far, and hopes his last will be in December, when surgeons try to repair his lower intestines so the colostomy can be removed. Some bullet fragments will be left in permanently.

Moran still sticks to his impression that The Post ought not to have printed that story last September.

"On the basis of the information I had at the time," he says, "it did appear to be irresponsible . . . to reach back into that time and attempt to make judgments on a question like that now is difficult, especially when you consider the nature of the information which was available to those who sought it at the time, and I think you know the problems that existed there, at least on your part, on the outside."

From all of this, it perhaps is no small wonder that the press is somewhat skeptical when government questions the media's credibility.

The McKay commission, in other segments of its report, tells how state troopers encouraged other troopers to lie about what they had done, to cover up. One of my original sources on the Smith shooting confided then that state officials had ordered him to keep his mouth shut about the dumdum.

CRITICS far and wide have chastised the press for its initial reports out of Attica a year ago, for reporting erroneously that inmates had slashed guards' throats, that one guard had been castrated.

True, many of the press reports of that incident, including one paragraph in this newspaper, failed to attribute such statements to state officials. The missing attribution is hardly excusable.

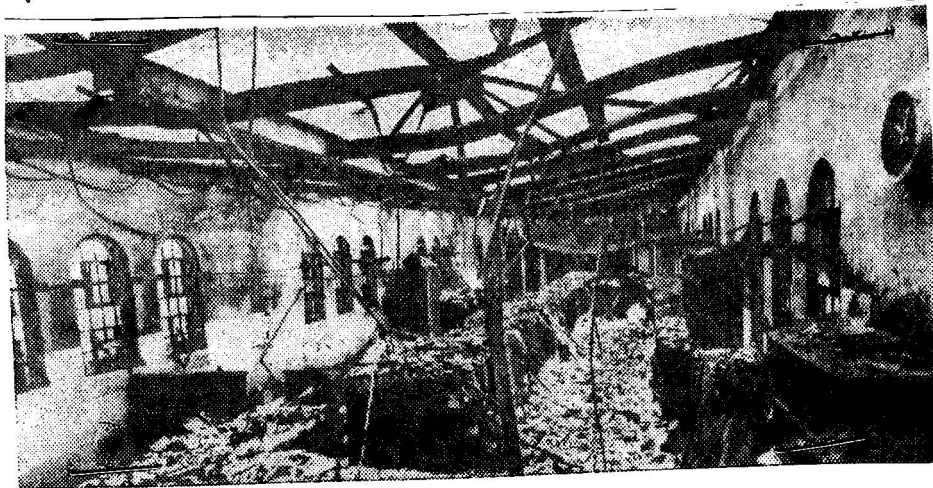
But perhaps the press can go too far in self-flagellation. It was Russell G. Oswald, the state's corrections commissioner who—standing over a pool of blood where the main catwalks intersect inside Attica, at 4:30 p.m. last Sept. 13—slowly moving his head from side to side as if in mourning, and pointing to the prison yard below, told me that, yes, a hostage had been castrated "right down there," and that, yes, three of his own guards' throats had been slashed "from ear to ear" right where we were standing.

"Are you sure?" I asked.

"Absolutely," he said. "Absolutely."

The next day, when the truth came out about how the guards had died—at the hands of the state's own men—Oswald told the press, according to the McKay commission:

"There may have been unauthorized reports of slashed throats. But you know I never told you that."



The Facts of Attica 42

It was one year ago today that the bloodiest prison uprising in American history ended in a haze of tear gas and hail of gunfire at Attica. The five-day rebellion left 32 inmates and 11 correction personnel dead and scores more injured in the final, desperate police charge to rescue hostages and retake an inmate-held portion of the upstate facility. Confused, conflicting and demonstrably untrue official accounts of what happened prompted the formation of an impartial citizens panel to determine the facts, the New York State Special Commission on Attica, which releases its findings on this anniversary date.

The commission's 500-page report is a superb document, sweeping in scope, meticulous in detail, calm in tone, unsparing in assessing blame. It goes beyond its mandate to find the facts; it analyzes them. It is persuasive. Based on lengthy public hearings, countless additional hours of private testimony, an on-the-scene inquiry at Attica and a painstaking fitting-together of fragmented accounts of institutional failure, the report is a monumental case study of what Karl Menninger has called "the crime of punishment." It describes the continuing inadequacy of the whole criminal justice system as well as the momentary failures of almost every agency and official involved in the Attica tragedy. It is, in essence, an urgent call for correctional reform.

As for Attica, the commission under the able chairmanship of Dean Robert B. McKay of the New York University School of Law notes that "the emphasis was on confinement and security." It found that there was no meaningful program of education and no rehabilitation program. In tracing the causes of the uprising, it suggests that a "new breed of younger, more aware inmates, largely black, who came to prison full of deep feelings of alienation and hostility against established institutions of law and government" were unwilling to accept the "daily humiliations and racism that characterize prison life." Smoldering resentments burst into a spontaneous uprising that was "the product of frustrated hopes and unfulfilled expectations."

Thus, the commission's findings and assessments are at variance with those of Governor Rockefeller. He earlier referred to the prisoners as "revolutionaries" and to their "political demands" in justifying his decision to repress their uprising with force. It was a grave mistake in our view, for Governor Rockefeller personally not to have gone to Attica, to direct actions close at hand; the commission also feels that his responsibilities required his presence on the scene.

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ATTICA PRISON

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The New Leader _____
The Wall Street Journal _____
The National Observer _____
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Date SEP 13 1972

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TOP CLIPPING
DATED 9-13-72
FROM DAILY NEWS (NEW YORK)
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While the Governor has denied that the state police storming the prison compound used excessive force, the commission makes a specific finding that they did. It is the commission's conclusion that the police assault was not carefully planned, that the choice of weapons (shotguns to spray deadly pellets) was illogical, that no safeguards were erected to minimize injuries and that no adequate medical arrangements were made to care for the certain casualties.

What recurs in the commission's report is something else more amorphous and yet perhaps more fundamental. It finds that there was increasing mistrust on all sides. The prisoners simply did not believe the state's promises to avoid reprisals and, in the end, the reprisals that occurred grimly proved the prisoners correct in their disbelief. There is still, even now, too little evidence that the state is committed to sweeping correctional reforms and too much that it cannot be taken at its word.

The mistrust that the commission feels undermined attempts to negotiate a peaceful settlement of the Attica uprising has recently assumed new and larger proportions. According to its general counsel, Arthur Liman, the commission was assured by state investigators probing criminal aspects of the uprising that it could take testimony from inmates and promise them confidentiality. Mr. Liman took testimony on this basis, promising prisoners that it would not be turned over to state prosecutors. Now, the state is suing Mr. Liman to obtain this testimony. He considers the state's action "an incredible betrayal."

And, indeed, it is. On the first anniversary of the Attica tragedy, it reveals a preference for negative action, for "crack downs" whatever the cost, over the more positive approach of not only finding out what is wrong with the criminal justice system but moving vigorously to reform it.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bates *gjh*

FROM : C. L. McGowan *gjh*

SUBJECT: UNKNOWN SUBJECTS, CORRECTIONAL
OFFICERS, ATTICA CORRECTIONAL
FACILITY; ATTICA (WYOMING CO.),
NEW YORK;

DATE: 11/2/72

1 - Mr. Felt
1 - Mr. Bates
1 - Mr. Gallagher
1 - Mr. McGowan
1 - Mr. MacFarlane

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Mr. Armstrong _____
Ms. Herwig _____
Mr. Newman _____

CIVIL RIGHTS

Commencing on 10/19/71, at the request of the Civil Rights Division (CRD) of the Department we conducted specifically outlined investigation of alleged prisoner abuse during the retaking of the Attica, New York, Correctional Facility on 9/13/71. The results of our investigations were forwarded to the CRD.

By letter dated 10/31/72, the CRD has advised us that the Honorable John T. Curtin, Judge of the Federal District Court for the Western District of New York, has appointed the United States Attorney (USA) to conduct criminal contempt proceedings against correctional officers at the Attica Correctional Facility for alleged acts of physical abuse and threats committed against Attica inmates (captioned victims). The initial step in these proceedings will be the presentation of evidence concerning incidents of alleged misconduct at hearings before the U. S. Magistrate. The purpose of the hearings will be to determine whether probable cause exists for the court to commence formal criminal contempt proceedings against any correctional officers. The Department has requested us to conduct additional investigation, namely, to determine whether inmate witnesses are able to identify photographs of potential subjects; prepare schematic diagram of the specific areas in the Attica Correctional Facility; take a series of photographs of the areas and have them reproduced in a format of at least 8" X 10" for use as exhibits; and conduct such other investigation in these matters as determined necessary by the USA's office.

ACTION:

ST-113 REC-47

44-50605-140
15 NOV 6 1972

Our Buffalo Office is being furnished copies of the Department's letter dated 10/31/72, together with its enclosure and is being instructed to initiate the investigation requested by the CRD.

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UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Acting Director
Federal Bureau of Investigation

DATE: OCT 31 1972

FROM : David L. Norman
Assistant Attorney General
Civil Rights Division

DLN:FDA:CRS:flh
DJ 144-53-313

SUBJECT: Unknown Subjects, Correctional Officers,
Attica Correctional Facility; Attica
(Wyoming County), New York;

CIVIL RIGHTS

Attached please find two copies of an Order issued by the Honorable John T. Curtin, Judge of the Federal District Court for the Western District of New York. In his Order Judge Curtin appoints the United States Attorney to conduct criminal contempt proceedings against Correctional Officers at the Attica Correctional Facility for alleged acts of physical abuse and threats committed against Attica inmates. The initial step in these proceedings will be the presentation of evidence concerning incidents of alleged misconduct at hearings before the United States Magistrate. The purpose of the hearings will be to determine whether probable cause exists for the Court to commence formal criminal contempt proceedings against any correctional officers.

Because the matters to be presented at these hearings may also constitute violations of 18 U.S.C. §§ 241, 242, or §1509, please conduct the following investigation:

6 ENCLOSURE

airtel to SAC Buffalo
11/3/72
JJMF/PWL

Memo McGowan to BATES
11/2/72
JJMF/PWL

MCT-70

REC-5

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McGowan
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(1) At such time as photographs of Attica Correctional Officers who may be involved in these incidents are obtained (subpoenas for these photographs have already been issued by the United States Attorney's Office), please conduct a spread of photographs comporting with requirements set forth in Simmons v. United States, 390 U.S. 377 (1968), to determine whether inmate witnesses are able to identify potential subjects. Arrangements for this photographic display should be coordinated with the United States Attorney's Office.

(2) After consultation with the United States Attorney's Office, prepare (for exhibit purposes) a schematic diagram of the areas in the Attica Correctional Facility at which alleged acts of misconduct by correctional officers took place.

(3) Take a series of photographs of the areas described in the preceding paragraph, and have them reproduced in a format of at least 8x10 inches for use as exhibits.

(4) Conduct such other investigation in these matters as deemed necessary by the United States Attorney's Office.

4 29 PM '72
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK, OF JUSTICE



INMATES OF THE ATTICA CORRECTIONAL
FACILITY; [REDACTED]

v.

NELSON ROCKEFELLER, etc., et al.

Civ- 1971-410

SIR: Take notice of an ORDER, of which the within is a
copy, duly granted in the within entitled action on the
31st day of July, 1972, and entered in the Office
of the Clerk of the United States District Court, Western
District of New York, on the 31st day of July, 1972.

Dated: Buffalo, New York

July 31, 1972

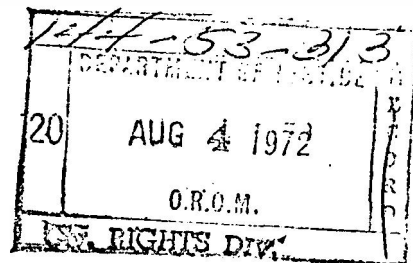
JOHN K. ADAMS, Clerk
U.S. District Court
U.S. Courthouse
Buffalo, New York 14202

To [REDACTED]
Attorney for Plaintiffs

To John H. Stenger, Esq.
Attorney for Defendants

✓ To John T. Elfvin, Esq., U.S. Attorney

To Edmund F. Maxwell, Esq., U.S. Magistrate



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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

INMATES OF THE ATTICA CORRECTIONAL
FACILITY:

Plaintiffs

-vs-

Civil 1971-410

NELSON ROCKEFELLER, Governor, State of
New York, et al.,

Defendants

ORDER
~~DECLINING~~

CURTIN, DISTRICT JUDGE

44-50605-141
ENCLOSURE

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

INMATES OF THE ATTICA CORRECTIONAL
FACILITY; [REDACTED]

Plaintiffs

-vs-

Civil 1971-310

NELSON ROCKEFELLER, Governor, State of
New York; RUSSELL G. COOPER, Commissioner
of Correctional Services of the State of
New York; VINCENT PANCOSI, Superintendent,
Attica Correctional Facility; ROBERT E.
FISCHER, Deputy Attorney General,

Defendants

APPEARANCES: [REDACTED]

Buffalo, New York, for the Plaintiffs.

Louis J. LeSkowitz, Attorney General,
State of New York (John E. Stanger,
Special Deputy Attorney General, of
Council), Buffalo, New York, for the
Defendants.

This case arose out of the events which fol-
lowed the inmate rebellion at the Attica Correctional
Facility on September 9-13, 1971. Following a decision
by the Court of Appeals, 483 F.2d 12 (2d Cir. 1971).

44-50605-141
ENCLOSURE

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this court on December 14, 1971 entered an injunction which, as amended by an order entered December 23, 1971, reads in pertinent part as follows:

. . . the defendants, their agents and employees, including State Police and Department of Correctional Services personnel, are immediately prohibited and enjoined from subjecting inmates at the Attica Correctional Facility to physical abuse, torture, beatings or other forms of brutality, including verbal abuse and racial slurs, from threatening such conduct or from authorizing, sanctioning or permitting such conduct.

By ex parte application made in February, 1972, plaintiff [] and several members of the represented class petitioned the court for commencement of criminal contempt proceedings against various correction officers at Attica.¹ The application, supported by affidavits, alleged that on several occasions the officers had committed acts which constituted violations of the injunction. In response to orders to show cause directed to the defendants in this case, there were submitted answering affidavits by several officers and an inmate. Reply affidavits were given by the petitioners. Thereafter the parties provided memoranda setting forth

their views on the course of action now to be taken.

Two radically different versions of the incidents which are the subject matter of the petitioners' application emerged from the affidavits submitted by the parties. It is important to resolve the factual issues raised by the conflicting affidavits. However, in this case criminal contempt proceedings should not be initiated solely on the basis of the affidavits.

Neither Rule 42(b) nor the Fifth Amendment, see Green v. United States, 356 U.S. 165, 183-85 (1958), requires indictment by a grand jury in cases of criminal contempt. The notice mandated by Rule 42(b)² does, however, perform one of the functions of the indictment requirement, that of informing the defendant of the nature of the charges against him. The other purpose, protecting "against unfounded or malicious prosecutions by insuring that no criminal proceeding will be undertaken without a disinterested determination of probable guilt," Orfield, *The Federal Grand Jury*, 22 F.R.D. 343, 394, is not necessarily accomplished by fulfillment of the requirements of Rule 42(b). The rule does not demand a showing of probable cause before commencement of

a criminal contempt proceeding.

Nonetheless, because the purpose of a criminal contempt proceeding is to vindicate the authority of the court, see Gompers v. Buck's Stove & R. Co., 221 U.S. 418, 441-42 (1911), the court has inherent control of the proceeding, except as limited by constitutional and statutory provisions. It may in its discretion institute a contempt proceeding sua sponte, see McCann v. New York Stock Exchange, 80 F.2d 211, 214 (2d Cir. 1935), cert. denied, 299 U.S. 603 (1936), decline to initiate a proceeding upon application, see In re United Corp., 166 F.Supp. 343, 345-46 (D. Del. 1959), and even dismiss a proceeding before trial. See United States v. Barnett, 346 F.2d 99 (5th Cir. 1965). Likewise, it "has discretion to require a showing of probable cause before giving notice or proceeding further toward a hearing on the charge." 3 C. Wright, Federal Practice and Procedure: Criminal §710, at 174 (1969). As stated by the court in In re United Corp., supra: "I deem that I am in proper exercise of my judicial discretion if before entertaining an application for the appointment of an attorney to

prosecute a criminal contempt in behalf of this court, necessitated by the rule and the present posture of this case, I insist upon a showing of probable cause." 166 F.Supp. at 345. Cf. In re Harnden, 394 U.S. 399, 400-03 (1969) (dissenting opinion).

The court believes that, because of the serious conflict in the affidavits filed, it is appropriate to appoint the United States Attorney to conduct hearings before the United States Magistrate to determine whether there exists probable cause for the court to hold formal contempt proceedings against the correction officers.

Therefore, it is ordered that, pursuant to Rule 42(b) of the Federal Rules of Criminal Procedure, the United States Attorney for the Western District of New York is appointed to conduct all proceedings on behalf of the court in this matter. Separately captioned actions shall be initiated as to each incident alleged in the petitioners' application to constitute a violation of the injunction entered by the court. The caption in each action shall be styled as follows: In the Matter of the Application of [Name of Inmate] for Commencement of

Criminal Contempt Proceedings Against [Names of Correction Officers]. The United States Attorney shall apply to the court as soon as possible for orders directing each correction officer named in the petitioners' application to show cause why a hearing should not be held before the United States Magistrate to determine whether there exists probable cause for the court to commence a formal criminal contempt proceeding against him. The orders shall comply with the notice requirements of Rule 42(b) and shall also inform the respondents of their right to the assistance of counsel.

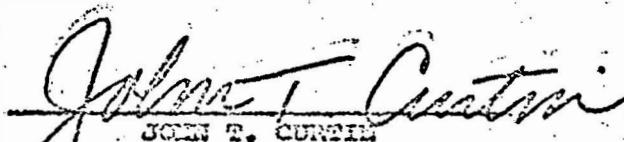
Authority to appoint the United States Attorney in this matter is given by Rule 42(b) of the Federal Rules of Criminal Procedure. In view of the serious nature of the allegations made by the petitioners, the equally serious consequences of criminal contempt prosecutions for the defendants therein and the need for investigatory and prosecutorial resources in a case of this type, such appointment is proper.

Authority for the court to send the case to the Magistrate for hearings to determine probable cause

exists pursuant to Title 28, United States Code, Section 636(b)(2) and Section V of the local "Rules Providing for the Duties to be Performed by United States Magistrates." Nothing in Rule 42(b) prohibits the court from employing such a procedure. The rule does not purport to deal with the question of probable cause and thus cannot be said to bar the court from satisfying itself that probable cause exists.

It is further hereby ordered that the order of reference to United States Magistrate Edmund F. Maxwell as Special Master entered March 27, 1972 is revoked.

So ordered.


JOHN T. CURRAN
United States District Judge

DATED: July 31, 1972

1

Any determination as to whether contempt proceedings should be instituted against the persons named as defendants in Civil 1971-410 must await the conclusion of

the proceedings against the correction officers named in petitioners' application.

2

The rule provides for prosecution of a criminal contempt "on notice (which) shall state the time and place of hearing, allowing a reasonable time for the preparation of the defense, and shall state the essential facts constituting the criminal contempt charged and describe it as such." Fed. R. Crim. P. 42(b). The notice must "contain enough to inform [the defendant] of the nature and particulars of the contempt charged," but "technical pleadings are not required." Yates v. United States, 316 F.2d 718, 723 (10th Cir. 1963). For example, although knowledge of the order allegedly violated and a willful disobedience of that order are essential elements of criminal contempt, the notice need not allege knowledge or willful disobedience. See id. at 722-24.

F B I

Transmit in _____ Via Airtel
(Type in plaintext or code)

(Priority)

TO: SAC, **Buffalo** (44-592)Date 11/13/72From: **Acting FBI** (44-50605) **141**

1 - Mr. MacFarlane

**UNKNOWN SUBJECTS, CORRECTIONAL
OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING CO.),
NEW YORK;**

CIVIL RIGHTS

Enclosed are two copies of a self-explanatory Departmental letter dated **10/31/72,**
along with its enclosure.

Complete the requested investigation in accordance with the provisions of Section
, Manual of Instructions, and surep within

27

Volume II

date of receipt of this communication

~~XXXXXXXXXXXXXXXXXXXX~~ (SEE REMARKS)

State in the first paragraph of the details of your report that it contains the results
of a ☒ limited investigation and underscore the word ☐ limited
☒ preliminary ☒ preliminary

Advise: ☐ all persons interviewed

☒ appropriate officials at the outset that this investigation is being conducted
at the specific request of the Assistant Attorney General in charge of the Civil Rights Division,
U. S. Department of Justice, referring to him by name as well as title.

Remarks:

**SAC will insure that all leads in this matter are handled
in an expeditious manner and the results forwarded to the Bureau
and the U. S. Attorney's Office. Advise Bureau of any additional
request emanating from the U. S. Attorney's Office. Keep Bureau
advised on a 30-day basis of investigation which has not been
completed.**

Enc. ()

(Do not type below this line.)

Felt _____
Bates _____
Bishop _____
Callahan _____
Campbell _____
Cleveland _____
Conrad _____
Dalbey _____
Jenkins _____
Marshall _____
Miller, E.S. _____
Ponder _____
Royars _____
Walters _____
Tele. Room _____
Mr. Kinley _____
Mr. Armstrong _____
Ms. Healy _____
Mrs. Neenan _____

JJMF/pwl) 4 (

NOTE: See cover memo McGowan to Bates, captioned as above,
dated 11/2/72.

MAIL ROOM ☐ TELETYPE UNIT ☐

b6
b7C

3

DJD
jam

F B I

Date: 11/14/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)
FROM: SAC, ALBANY (44-737) (RUC)
SUBJECT: UNSUBS, CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY). NEW YORK;

CR

(OO: BUFFALO)

Re Buffalo airtel to Bureau dated 11/6/72.

On 11/13/72, [redacted]
[redacted] New York State Governor NELSON A. ROCKEFELLER,
Albany, New York, and Mr. WALTER DUNBAR, Deputy
Commissioner, New York State Department of Correctional
Facilities, Albany, New York, were advised that investigation
would be instituted in this matter.

② - Bureau
2 - Buffalo (44-592)
1 - Albany
EFN/dml
(5)

ST-113

REC-71

44-50605-142

11 NOV 16 1972

Approved: _____

Sent _____ M Per _____

57 NOV 24 1972

Special Agent in Charge

F B I

Date: 11/6/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;CR
(OO: BUFFALO)

ReBuairtel, 11/3/72.

Enclosed for Albany is one copy of referenced communication with enclosures for information.

On 11/6/72, AUSA [redacted] WDNY, Buffalo, New York, was contacted regarding captioned matter. AUSA [redacted] stated that subpoenas have been issued concerning photographs of Attica Correction Officers who may be involved in this matter as well as photograph and diagrams of ACF. AUSA [redacted] advised that these subpoenas are returnable on 11/13/72 and that he did not desire any investigation by the FBI in this matter until the results of the above subpoenas are obtained.

REC-22

2 - Bureau (AM)
2 - Albany (Encls. 4) (AM) ST-102
2 - Buffalo

JLB:cap
(6)

4 NOV 9 1972

Approved: *[Signature]*
Special Agent in Charge

Sent _____ M

Per *[Signature]*b6
b7Cb6
b7C

BU 44-592

LEADS

ALBANY

AT ALBANY, NEW YORK

Will advise the Governor of New York State or his appropriate representative that investigation will be instituted in this matter

BUFFALO

AT BUFFALO, NEW YORK

Will maintain contact with AUSA [REDACTED] WDNY, and conduct necessary investigation after the results of the subpoenas issued as above are known.

b6
b7C

F B I

Date: 11/24/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

To: ACTING DIRECTOR, FBI (44-50605)

From: SAC, BUFFALO (44-592) (P)

UNSUBS, CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK;CR
(OO: BUFFALO)Re Buffalo airtel to Bureau, dated 11/6/72; and
Albany airtel to Bureau, dated 11/14/72.On 11/13/72, ERNEST L. MONTANYE, Superintendent,
Attica Correctional Facility (ACF), Attica, New York, was
contacted and was advised that investigation would be instituted
in this matter.On 11/21/72, Bureau Agents; AUSA [redacted]
WDNY, Buffalo, New York; Special Assistant Attorney General
JOHN STENGER; and other employees of ACF, toured the third
floor of Housing Building Z, where alleged incidents in captioned
matter have occurred. Subsequent to this, AUSA ARCARA made
specific requests for diagrams of this area which are currently
being prepared by Buffalo Agent.The only specific investigation requested to date by
AUSA [redacted] was on 11/22/72, when he requested certain informa-
tion regarding the exact cell location of Attica inmates in
the west gallery of the third floor of Housing Building Z and② Bureau (AM)
2 - Buffalo
JLB:kdf
(4)

3 NOV 27 1972

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

b6
b7Cb6
b7Cb6
b7C

BU 44-592

other similar information. Buffalo Agent established contact with [redacted] New York State Attorney General's Office, assigned at Attica, for the purpose of securing this information. [redacted] stated that it would be necessary for him to check with JOHN STENGER, who is representing the accused Correctional Officers in this matter, before releasing this information.

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b7C

On 11/22/72, and subsequent to the above contact, AUSA [redacted] stated he had been in contact with JOHN STENGER who advised him he would not allow the furnishing of the requested information.

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b7C

On 11/24/72, AUSA [redacted] advised he was considering bringing the entire above situation to the attention of USDC Judge JOHN T. CURTIN, WDNY, Buffalo, New York, in an attempt to resolve the matter.

b6
b7C

Bureau will be kept advised of pertinent developments.

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION
Acting

FROM : Director, FBI

DATE: 11/17/72

FILE COPY

SUBJECT: **UNSUBS, CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY) NEW YORK;**



CR

Reference is made to your memorandum dated 10/31/72
(your file 144-53-313). **FDA:CRS**

There is enclosed one copy of the report of Special Agent _____
dated _____ at _____.

A. ☐ This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. ☐ The investigation is continuing and you will be furnished copies of reports as they are received.

C. ☐ The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. ☐ Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. ☐ Please advise whether you desire any further investigation.

F. ☒ This is submitted for your information and you will be advised of further developments.

G. ☐ This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. ☐ This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc.

NOTE: On 11/6/72, AUSA [redacted] W.D.Y., Buffalo, New York, was contacted regarding captioned matter. AUSA [redacted] stated that subpoenas have been issued concerning photographs of Attica Correction Officers who may be involved in this matter as well as photographs and diagrams of ACF. AUSA [redacted] advised that subpoenas are returnable on 11/13/72 and that he did not desire any investigation by the FBI in this matter until the results of the above subpoenas are obtained.

b6
b7Cb6
b7C

Airtel

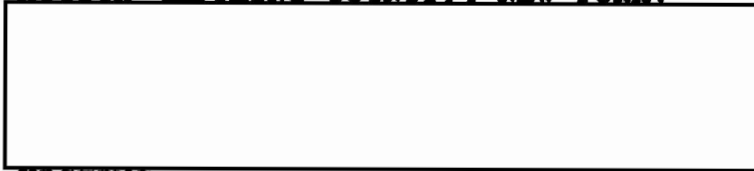
12/6/72

TO: SAC, Buffalo (44-592)

1 - Mr. MacFarlane

FROM: Acting Associate Director, FBI (44-50605)

UNSUBS,
CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK:



VICTIMS

CR

(OO: BUFFALO)

Reurairtel dated 11/24/72.

In the future, in order that the Department may be kept fully abreast of all the developments in this investigation, you should submit all pertinent information in LHM. Include in your next submission information contained in reBUairtel.

JMF:hfe
(4)

ST-113

REC-70

44-50605-145

MAILED 4

DEC 6 - 1972

FBI

14 DEC 7 1972

Felt _____
Baker _____
Bishop _____
Callahan _____
Cleveland _____
Conrad _____
Dalbey _____
Gebhardt _____
Jenkins _____
Marshall _____
Miller, E.S. _____
Purvis _____
Soyars _____
Walters _____
Tele. Room _____
Mr. Kinley _____
Mr. Armstrong _____
Ms. Herwig _____
Mrs. Neenan _____

MAIL ROOM ☐

TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR001 BU PLAIN

DEC 13 1972

701PM 12-13-72 DMB

TELETYPE

TO ACTING DIRECTOR (44-58605) (NITEL)

NEW YORK (URGENT)

ALBANY (44-737) (URGENT)

FROM BUFFALO 44-592 TWO PAGES

UNSUBS, CORRECTIONAL OFFICERS, ATTICA
CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY),
NEW YORK; [REDACTED]

CR. OO BUFFALO.

REMYTEL, DEC. TWELVE, LAST.

CELL NUMBERS IN RE COMMUNICATION AS PROVIDED BY AUSA

[REDACTED] WDNY, BUFFALO, N.Y., ARE IN ERROR AND WERE

INADVERTENTLY TAKEN OFF A BLUEPRINT TYPE DIAGRAM OF WEST GALLERY,
HOUSING BUILDING Z (HBZ), THIRD FLOOR. WEST GALLERY CONSISTS OF
CELL NUMBERS ONE THROUGH TWENTYFOUR FROM SOUTH TO NORTH.

FOLLOWING ARE CORRECT CELL NUMBERS FOR INMATES LISTED: [REDACTED]

(ST-111 REC 44

44-50605-146

DEC 15 1972

LOCATION OF

END PAGE ONE

DEC 22 1972 364

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kirley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mr. Neenan	_____

b6
b7C

b6
b7C

BU 44-592

PAGE TWO

THESE CELLS ARE COMMONLY REFERRED TO BY INMATES, FOR EXAMPLE,
C WEST ELEVEN, HBZ, C STANDING FOR THIRD FLOOR AND WEST FOR
WEST GALLERY.

P.

END.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR009 AL PLAIN

10:00 PM NITEL 12-13-72 LVV

TO ACTING DIRECTOR (44-50605)

TELETYPE

BUFFALO (44-592)

FROM ALBANY (44-737) 4P (P)

UNKNOWN SUBJECTS, CORRECTIONAL OFFICERS, ATTICA
CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY),

NEW YORK

CR: 00: BUFFALO.

RE BUFFALO NITEL TO THE BUREAU AND NEW YORK AND
ALBANY DATED DECEMBER THIRTEEN, LAST.

GREAT MEADOW CORRECTIONAL FACILITY, COMSTOCK,
NEW YORK, REFUSED TO BE INTERVIEWED BY BUREAU AGENT TODAY.
HE IS IDENTICAL WITH THE REFERRED TO IN
REFERENCED TELETYPE.

INMATE

END PAGE ONE

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gombard	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

DEC 22 1972

PAGE TWO

[REDACTED] WAS INTERVIEWED AT GREAT MEADOW CORRECTIONAL FACILITY BY BUREAU AGENT TODAY AND STATES:

b6
b7c

BETWEEN ONE TEN AND ONE THIRTY PM FEBRUARY TWO LAST, HE WAS LOCKED IN HIS [REDACTED] AT ATTICA. HE HEARD LOUD COMMOTION IN NEARBY GALLERY AREA AND OBSERVED INMATE [REDACTED] OUT OF HIS CELL ENGAGED IN AN ALTERCATION [REDACTED]

[REDACTED] ALTERCATION WAS ABOUT

[REDACTED] WHO DID NOT KNOW HOW IT BEGAN.

[REDACTED] SAW TWO CORRECTIONAL OFFICERS STRUGGLING WITH [REDACTED] NUMBER ONE HAD HIS LEFT ARM WRAPPED AROUND [REDACTED] NECK AND WAS PULLING HIM BACK TOWARDS HIS CELL WITH THE OTHER HAND. NUMBER TWO OFFICER WAS HITTING [REDACTED] IN THE NECK AND CHEST AREA WITH SLAPPING AND SHOVING MOTIONS AND NOT WITH CLENCHED FISTS. HE STRUCK [REDACTED] THREE OR FOUR TIMES. DURING THE STRUGGLE BOTH OFFICERS WERE SHOUTING TO [REDACTED] TO GET BACK IN HIS CELL AND WERE MAKING OBSCENE REFERENCES TO THE FACT HE IS A NEGRO. HE REFUSED TO GO BACK INTO THE CELL AND THE

END PAGE TWO

PAGE THREE

OFFICERS WERE ABOUT TO STRIKE HIM AGAIN WHEN [REDACTED]

YELLED TO [REDACTED]

b6
b7C

THE ABOVE INCIDENT LASTED NO MORE THAN TWO MINUTES.

[REDACTED] HEARD RUMORS FROM OTHER INMATES THAT
WHEN [REDACTED] WAS GOING INTO THE EXERCISE YARD ONE OF THE
CORRECTIONAL OFFICERS PUSHED HIM THROUGH THE DOOR. [REDACTED]
ASKED WHY HE WAS PUSHED AND THE OFFICERS THEN REFUSED TO
LET HIM GO TO THE YARD.

PROCEDURALLY, INMATES WALK TO THE YARD WITH ARMS FOLDED
AND UNTIL SHORTLY BEFORE THIS TIME WERE STRIP SEARCHED
AFTER LEAVING CELL AND BEFORE GOING TO THE YARD. HOWEVER,
AN ORDER HAD COME DOWN FROM SUPERINTENDENT MANCUSI THAT
NO MORE STRIP SEARCHES WERE NECESSARY UNLESS AN INMATE
WAS VISITING WITH A VISITOR FROM THE OUTSIDE. [REDACTED] HAD
ALWAYS BEEN ANTAGONISTIC TOWARDS STRIP SEARCHES AND [REDACTED]
END PAGE THREE

b6
b7C

PAGE FOUR

FELT THIS COULD HAVE TRIGGERED THE WHOLE INCIDENT.

F D THREE ZERO TWO WITH BEING FORWARDED TO
BUFFALO.

END

HOLD

RMS FBI WA C DC

b6
b7c

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

DEC 11 1972

TELETYPE

NR001 BU PLAIN

8:10PM NITEL 12-12-72DMB

TO ACTING DIRECTOR (44-50605) NITEL

NEW YORK URGENT

ALBANY (44-737) URGENT

FROM BUFFALO (44-592) FOUR PAGES

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

CHANGED. UNSUBS, CORRECTIONAL OFFICERS, ATTICA
CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY),
NEW YORK; [REDACTED]

[REDACTED] CR. OO BUFFALO.

TITLE CHANGED TO REFLECT ALIASES OF [REDACTED]

RE BUFFALO AIRTELS TO BUREAU, NOV. SIX LAST AND NOV.

TWENTYFOUR LAST.

FOR INFO OF NEW YORK, SUBSEQUENT TO RIOT AT ATTICA

CORRECTIONAL FACILITY (ACF), ATTICA, N.Y., SEPT. SEVENTYONE,

JUDGE JOHN T. CURTIN, USDC, BUFFALO, ISSUED INJUNCTION

PROHIBITING CORRECTIONAL OFFICERS OF ACF OF USING ACTS OF

PHYSICAL ABUSE AND THREATS COMMITTED AGAINST ATTICA INMATES.

CAPTIONED VICTIMES ALL ALLEGE VIOLATION OF THIS INJUNCTION IN

DIFFERENT SPECIFIC INSTANCES. HEARINGS SCHEDULED DEC. EIGHTEEN

NEXT, BEFORE U.S. MAGISTRATE, BUFFALO, REGARDING ALLEGATION OF

END PAGE ONE

23 DEC 15 1972

b6
b7C

EX-113

REC 44

MCT-49

44-50605-148

DEC 23 1972

BU 44-592

PAGE TWO

[REDACTED] TO DETERMINE IF PROBABLE CAUSE EXISTS TO HOLD CRIMINAL CONTEMPT PROCEEDINGS REGARDING VIOLATION OF INJUNCTION.

AT APPROXIMATELY ONE FIFTEEN PM, FEB. TWENTYTWO LAST, [REDACTED] WAS ROUTINELY REMOVED FROM HIS [REDACTED]

[REDACTED] BY TWO CORRECTIONAL OFFICERS IN ORDER TO ESCORT HIM TO EXERCISE YARD WHICH IS AT THE NORTH END OF THE GALLERY. [REDACTED] ALLEGES THAT WHEN HE AND GUARDS REACHED THE END OF THE GALLERY, THEY STRUCK HIM AND RETURNED HIM TO HIS CELL.

INVESTIGATION TO DATE BY BUFFALO INDICATES THAT [REDACTED] DID NOT SUBMIT TO ROUTINE PAT FRISK WHEN LEAVING HIS CELL. [REDACTED] ALSO DID NOT FOLD HIS ARMS ACROSS HIS CHEST WHILE PROCEEDING TO EXERCISE YARD. IT IS NORMAL ROUTINE THAT WHEN ANY INMATE IS OUT OF HIS CELL IN HBZ, HE WILL PROCEED ONLY WITH HIS ARMS FOLDED ACROSS HIS CHEST.

[REDACTED] HAD BEEN CONFINED IN HBZ SINCE RIOT. WHEN OFFICERS QUESTIONED HIM AT THE END OF THE GALLERY, STATING THAT THEY WOULD NOT ALLOW HIM TO EXERCISE UNLESS HE FOLLOWED THE NORMAL ROUTINE, [REDACTED] RETURNED TO HIS CELL AND SHUT THE DOOR. WEST GALLERY CONSISTS OF CELL NUMBERS TWENTYFOUR THROUGH FORTYTWO FROM NORTH TO SOUTH.

THE FOLLOWING INMATES WERE CONFINED ON THE SAME GALLERY ON FEB. TWENTYTWO LAST: [REDACTED]

END PAGE TWO

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b7c

BU 44-592

PAGE THREE

[REDACTED] CONDITIONALLY RELEASED MAY TWENTYSIX, LAST,
TO REPORT PAROLE OFFICE, THREE ONE FOUR WEST FORTIETH STREET, NEW
YORK, N.Y., CONFINED [REDACTED]

[REDACTED] GREEN HAVEN CORRECTIONAL
FACILITY, STORMVILLE, N.Y., MAY ONE, LAST, CONFINED [REDACTED]

[REDACTED]
GREAT MEADOW CORRECTIONAL FACILITY (GMCF), COMSTOCK, N.Y., MAY ONE,
LAST, CONFINED [REDACTED]

[REDACTED] GMCF MAY ONE, LAST, CONFINED [REDACTED]

[REDACTED]
CONDITIONALLY RELEASED MAY NINETEEN, LAST, TO REPORT TO PAROLE
OFFICE, ONE TWO FIVE MAIN STREET, BUFFALO, N.Y., CONFINED [REDACTED]

[REDACTED] INSPECTION OF THIS GALLERY BY BUFFALO AGENTS
DISCLOSED ABOVE INMATES COULD SEE MOST OF AREA AT THE NORTH END OF
GALLERY, IF STANDING AT CELL DOOR.

ON INSTANT DATE, AUSA [REDACTED] WDNY, BUFFALO,
REQUESTED INTERVIEW OF ABOVE INMATES TO DETERMINE WHAT THEY SAW OR
RECALLED REGARDING [REDACTED] ALLEGATION. INMATES SHOULD RECALL INCIDENT
END PAGE THREE

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BU 44-592

PAGE FOUR

[REDACTED] SPOKE TO SEVERAL ON HIS WAY BACK TO HIS CELL AND ATTEMPTS WERE MADE BY ATTICA EMPLOYEES FOR [REDACTED] TO SEE MEDICAL AUTHORITY. HOWEVER, [REDACTED] REFUSED WITHOUT PRESENCE OF HIS ATTORNEY. SUTEL RESULTS OF ABOVE INTERVIEWS BY C.O.B. DEC. FIFTEEN, NEXT.

NEW YORK AT STORMVILLE, N.Y. - WILL INTERVIEW [REDACTED]

NEW YORK AT NEW YORK, N.Y. - WILL LOCATE INMATE [REDACTED]

THROUGH PAROLE OFFICE AND CONDUCT INTERVIEW.

ALBANY AT COMSTOCK, N.Y. - WILL INTERVIEW [REDACTED]
[REDACTED]

BUFFALO AT BUFFALO, N.Y. - WILL LOCATE INMATE [REDACTED]

AND CONDUCT INTERVIEW.

VICTIM [REDACTED] DESCRIBED AS NEGR MALE, BORN [REDACTED]

[REDACTED] FIVE FT. FOUR AND ONE HALF INS., ONE HUNDRED FIFTY LBS.,

BLAC HAIR, BROWN EYES.

P.

END.

HOLD

b6
b7c

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR016 NY PLAIN

1256PM URGENT 12-15-72 PAC

TO ACTING DIRECTOR 44-50605

BUFFALO 44-592

FROM NEW YORK 44-2086 (P) 2P

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Ponder	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mr. Neenan	_____

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK DASH [REDACTED]

[REDACTED] CIVIL RIGHTS; (OO:BU).

RE BUREAU NITEL, TWELVE, TWELVE, SEVENTY TWO.

REFERENCED NITEL SETS LEAD TO INTERVIEW [REDACTED]

GREEN HAVEN CORRECTIONAL FACILITY, STORMVILLE, NEW YORK.

RE NEW YORK TELEPHONE CALL TO BUFFALO TWELVE FIFTEEN SEVENTYTWO.

CONTACT WITH OFFICIALS AT GREEN HAVEN CORRECTIONAL FACILITY
REFLECTS ALL PRISONERS IN KEEP-LOCK STATUS PENDING SEARCH OF
CELLS FOR CONTRABAND BEING CONDUCTED BY INS CORRECTIONAL
SERVICES OFFICERS FROM ALBANY, NEW YORK. THEY REQUEST INTER-
VIEWS BE HELD IN ABEYANCE PENDING COMPLETION OF SEARCH.

NEW YORK WILL RECONTACT GREEN HAVEN OFFICIALS DECEMBER
EIGHTEENTH TO DETERMINE IF SITUATION ALLEVIATED AND WILL
INTERVIEW [REDACTED] THAT DATE IF PERMISSABLE.

END PAGE ONE

REC-3 44-50605-149

DEC 20 1972

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373
54 JAN 2 1973

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SIX

PAGE TWO

NEW YORK DIVISION'S ATTEMPTS TO CONTACT [REDACTED]

(N/M; DOB [REDACTED] NY OBTAINED
FROM NYS PAROLE, NYC) AT YOUTH DRUG PROGRAM AT FOUR SIX SIX
WEST TWENTY THIRD STREET AND FIVE TWO TWO EAST TWELTH STREET,
MANHATTAN, NEGATIVE TO DATE.

NEW YORK DIVISION WILL CONTINUE ATTEMPTS TO LOCATE AND
INTERVIEW [REDACTED]
END

DKS FBI WASHDC CLR

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 12/13/72	INVESTIGATIVE PERIOD 11/3 - 12/13/72
TITLE OF CASE UNSUBS, CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (LYONING COUNTY) NEW YORK.		REPORT MADE BY [REDACTED]	TYPED BY :lmk
[REDACTED]		CHARACTER OF CASE CR	
[REDACTED] - VICTIMS			

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REFERENCES:

Buffalo airtel to Bureau dated 11/6/72.
Albany airtel to Bureau dated 11/14/72.
Buffalo airtel to Bureau dated 11/24/72.
Bureau airtel to Buffalo dated 12/6/72.
Buffalo nitels to Bureau dated 12/12/72
and 12/13/72.

- P -

EXP. PROC.

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED *Rmk*
COPIES MADE *PL*

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

44-50605-150

12 DEC 18 1972

REC-22

EX-101

- ② - Bureau (44-50605)
- 2 - Albany (44-737)
- 2 - New York
- 1 - USA, Buffalo
- 2 - Buffalo (44-592)

Dissemination Record of Attached Report				
Agency	ICRD			
Request Recd.				
Date Fwd.	12/26/72			
How Fwd.	070(F)			
By	70 JRE/lcc			

Notations

McDonough

DATA PROC

7

70 JAN 5 1973

COVER PAGE

BU 44-592

LEADS

ALBANY

AT COMSTOCK, NEW YORK

Will interview former Attica inmates [redacted] Great Meadow Correctional Facility regarding allegation of victim [redacted] as contained in referenced Buffalo nitel to Bureau dated 12/12/72.

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NEW YORK

AT STORMVILLE, NEW YORK

Will interview former Attica inmate [redacted] at Green Haven Correctional Facility regarding same as above for Albany.

AT NEW YORK, NEW YORK

Will locate former Attica inmate [redacted] through New York State Parole Office and conduct interview as above.

BUFFALO

AT ALDEN, NEW YORK

Will interview former Attica inmate [redacted] at Erie County Penitentiary regarding above.

AT ATTICA, NEW YORK

Will photograph areas as requested by AUSA [redacted]
[redacted] WDNY, Buffalo, New York, [redacted]
[redacted]

ADMINISTRATIVE

All persons interviewed in this investigation were advised that the investigation was being conducted at the specific request of Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Office: Buffalo, New York

Date: 12/13/72

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b7C

Field Office File #: 44-592

Bureau File #: 44-50605

Title: UNKNOWN SUBJECTS, CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY, ATTICA
(WYOMING COUNTY) NEW YORK. [REDACTED]

Character:

CIVIL RIGHTS

Synopsis:

Synopsis:

Attica Correctional Facility (ACF) Inmate [REDACTED] in affidavit alleged that he was physically struck by Attica Correctional Officers on 2/22/72. Attempts by Bureau Agents to secure information at ACF, Attica, New York, regarding requests of AUSA [REDACTED] [REDACTED] WDNV, Buffalo, New York, unsuccessful in two instances. Two Attica Correctional Officers, who were present on the Third Floor of Housing Building Z (HBZ), ACF, on 2/22/72 during alleged incident involving victim [REDACTED] interviewed. One officer indicated [REDACTED] refused to submit to routine pat frisk and was returned to his cell without being physically touched by either Correctional Officer who had intended to escort him to open-air yard for exercise. Interview of second officer incomplete as he refused to be further interviewed after being advised Attorney JOHN STENGER recommended officers involved in this matter furnish no statements. Affidavit of these officers and three additional officers, two of which were named by [REDACTED] as having assaulted him on 2/22/72, set forth.

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- P -

BU 44-592

Details:

The following is the result of a limited investigation.

This investigation is predicated upon receipt of United States Department of Justice letter dated October 31, 1972 forwarding order issued by the Honorable JOHN T. CURTIN, United States District Judge (USDJ), Western District of New York (WDNY), Buffalo, New York, disclosing that United States Attorney (USA), Buffalo, was appointed to conduct necessary hearings before United States Magistrate EDMUND F. MAXWELL, Buffalo, New York, to determine if sufficient probable cause exists to hold criminal contempt proceedings against certain Attica Correctional Facility (ACF) Officers who may have violated Judge CURTIN's previous injunction. This injunction was issued against ACF Officers restraining them from acts of physical abuse against ACF inmates.

On November 3, 1972, Assistant United States Attorney (AUSA) [redacted] WDNY, Buffalo, New York, was contacted and furnished one copy of an affidavit of [redacted] which follows. [redacted] commented that hearing regarding the above allegations are scheduled before U. S. Magistrate EDMUND F. MAXWELL, Buffalo, New York, for December 4, 1972.

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By communication dated November 14, 1972, the Albany, New York Division of the FBI advised as follows:

On November 13, 1972, [redacted]
[redacted] to New York State Governor NELSON A. ROCKEFELLER, Albany, New York, and Mr. WALTER DUNBAR, Deputy Commissioner, New York State Department of Correctional Facilities, Albany, New York, were advised that investigation would be instituted in this matter.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF New York

Inmates of Attica, etc

BU 44-592

Plaintiffs

vs

Nelson Rockefeller

et al

Defendants

FEB 24 11 57 AM '72

U.S. DISTRICT COURT
W.D. OF N.Y.

Affidavit

CIV 1971-

416

[redacted] being duly
sworn, says and deposes

1) That I currently am an
inmate at Attica Prison,
Attica New York and that
I am being held in [redacted]

2) On February 22nd, 1972
at approximately 1:45 pm
I was taken from my
cell to go to the end
of the gallery to go to
an open air room which
is designated as our yard.

3) Officer [redacted]
was walking behind me
and told me to hold up,
saying something about he
wanted to search me

4) Since on all my previous

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JUN 14 1973

XEROXED ORIGINAL RETAIN

visits to our so-called yard
 I had never been searched I
 assumed the officer was
 kidding and I kept on walking

3) The next thing I knew
 officer [redacted] grabbed me by
 my coat. He and another
 officer (who I can identify by sight)
 then proceeded to punch me
 several times in my back,
 in the back of my neck, and
 on my right side.

6) After this beating they
 said I could no longer
 go to the yard and they
 brought me back to my cell.

7) The following day my whole
 body ached and was sore from
 the effects of this beating.

Further AFFIDAVIT
 NOT

Sworn to before me
 this 22nd day of February 1971

Edmund J. [redacted]

EDWARD V. BRADY
 Notary Public, New York State
 Southern District of New York

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BU 44-592

On November 6, 1972, AUSA [redacted] was contacted regarding this matter. AUSA [redacted] stated that subpoenas have been issued concerning photographs of Attica Correctional Officers who may be involved in this matter as well as photographs and diagrams of Attica Correctional Facility (ACF). AUSA [redacted] advised that these subpoenas are returnable on November 13, 1972, and that he did not desire any investigation by the FBI in this matter until the results of the above subpoenas are obtained.

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On November 13, 1972, AUSA [redacted] was re-contacted and stated that he had just concluded a meeting with United States Magistrate EDMUND F. MAXWELL, WDNY, Buffalo, New York; JOHN STENGER, Attorney for Attica Correctional Officers in this matter; and [redacted] who is a New York State Attorney General's Office. At this meeting STENGER agreed to allow AUSA [redacted] to review files of inmates and Correctional Officers involved in this matter and maintained at ACF.

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AUSA [redacted] stated that a tentative date of December 4, 1972 has been set for a hearing regarding victim [redacted] and that in addition, he anticipated going to ACF on November 20, 1972, to review records and tour the facility in order to acquaint himself with the specific areas where victims have alleged their civil rights were violated.

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On November 13, 1972, ERNEST L. MONTANYE, Superintendent, ACF, Attica, New York, was contacted and was advised that investigation would be instituted in this matter.

On November 21, 1972, Bureau Agents; AUSA [redacted] WDNY, Buffalo, New York; Special Assistant Attorney General JOHN STENGER; and other employees of ACF, toured the third floor of Housing Building Z (HBZ), where alleged incidents in this matter have occurred. Subsequent to this, AUSA [redacted] made specific requests for diagrams of this area which are currently being prepared by Buffalo Agents.

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AUSA [redacted] on November 22, 1972 requested certain information regarding the exact cell location of Attica inmates in the Art Gallery of the third floor of HBZ and other similar

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BU 44-592

information. Buffalo Agent established contact with [redacted] New York State Attorney General's Office, assigned at Attica, for the purpose of securing this information. [redacted] stated that it would be necessary for him to check with JOHN STENGER, who is representing the accused Correctional Officers in this matter, before releasing this information.

On November 22, 1972, and subsequent to the above contact, AUSA [redacted] stated he had been in contact with JOHN STENGER who advised him he would not allow the furnishing of the requested information.

On November 24, 1972, AUSA [redacted] advised he was considering bringing the entire above situation to the attention of United States District Court (USDC) Judge JOHN T. CURTIN, WDNY, Buffalo, New York, in an attempt to resolve the matter.

On November 30, 1972, AUSA [redacted] was recontacted and advised that the hearing regarding allegations of victim [redacted] had been adjourned until December 18, 1972 and would be held before U. S. Magistrate EDMUND F. MAXWELL. [redacted] added that inmates who have already filed affidavits alleging that they witnessed acts of brutality against [redacted] on February 22, 1972 will be transferred from ACF to the Erie County Jail, Buffalo, New York, on December 14, 1972 and that he intended to interview these inmates at this time without the assistance of Bureau Agents. [redacted] further commented that he had by court order permission to review and xerox the Attica inmate files regarding the five victims in this matter and that he would provide these files as soon as available so that appropriate xeroxing can be made by the FBI.

On December 6, 1972, AUSA [redacted] requested that the current location of certain ACF inmates be obtained who may have witnessed the incident involving the allegation of [redacted] occurring on February 22, 1972 in the West Gallery, third floor, HBZ. [redacted] also requested that descriptive data be obtained regarding five correctional officers who are named in victim's affidavit and inmates' affidavits as being the subjects of the brutality against [redacted] and witnesses.

BU 44-592

On December 7, 1972, [redacted] was recontacted regarding AUSA [redacted] request of December 6, 1972. [redacted] advised that he would contact JOHN STENGER and advise as to whether or not he could furnish the requested information.

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Shortly after the above, [redacted] contacted Agent and advised that Mr. STENGER desired to communicate with AUSA [redacted]

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AUSA [redacted] was contacted and advised of the above. At this time [redacted] was furnished with complete xeroxing of victim inmates institution files. Mr. [redacted] requested that Agent interview the following Correctional Officers regarding the allegation of victim [redacted]

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Lieutenant [redacted]

Sergeant [redacted]

[redacted] also furnished one copy each of affidavits of the above officers and one copy each of affidavits by [redacted] who are the subjects of the allegation made by [redacted] A copy of these affidavits follows:

26957

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Plaintiffs

CIVIL 1971-410

-vs-

NELSON ROCKEFELLER, Governor, State of
New York; RUSSELL G. OSWALD, Commissioner
of Correctional Services, etc.; VINCENT
MANCUSI, Superintendent, Attica Correctional
Facility; ROBERT E. FISCHER, Deputy
Attorney General, Defendants
STATES OF NEW YORK
COUNTY OF WYOMING) SS:

Attica Correctional

Facility, being duly sworn, deposes and says that he is over
twenty-one years of age and resides in the city of Batavia, New
York.

At about 1:55 P.M. on February 22, 1972 while on duty, I
was summoned to the 3rd Floor of MBZ by Correction Officer HEAD,
who told me [] was claiming he was injured by our officers
and was demanding medical attention. I escorted [] from his
cell to the day room for examination by [] While
escorting him to the day room [] told me that officers
[] had "beat on him", but he refused to specify
where or in what manner unless his attorney was present. He
refused to take his coveralls off so I could view his body and
he refused to allow [] to examine him. He claimed
his attorney would have to be present during an examination. I
asked [] if JUDGE WILLIS of the McKay Commission, who was
interviewing inmates on "c" South Gallery, would suffice as an
attorney for him. While I was talking to JUDGE WILLIS, []
returned to his cell and refused any examination until his own
attorney was present.

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Sworn to before me this
7th day of March 1972

Notary Public

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

[REDACTED]

Plaintiffs

CIVIL 1971-410

-VS-

NELSON ROCKWELLER, Governor, State of
 New York; RUSSELL G. SCHWALD, Commissioner
 of Correctional Services, etc.; VINCENT
 MANCUSI, Superintendent, Attica Correctional
 Facility; ROBERT E. FISCHER, Deputy
 Attorney General, Defendants

STATE OF NEW YORK)
 COUNTY OF WYOMING) SS:

[REDACTED]

Attica Correctional

Facility, being duly sworn, deposes and says that he is over
 twenty-one years of age, resides in Attica, New York.

About 1:15 P.M. on February 22, 1972, I was on duty at the
 Facility and was on the 3rd Floor of HBZ. I was standing in the
 quadrangle area of the west gallery just outside the Control Room
 door when I observed officers [REDACTED] cell
 to escort him to the yard area. [REDACTED] came out of his cell and
 walked past the officers without waiting to be "pat frisked."
 He continued to walk down the gallery to the yard door. He
 stopped there and after a short conversation with the officer,
 he returned to his cell and went in. I could hear talking between
 the officers and [REDACTED] but I could not make out what they were
 saying.

At no time did I observe any officer touch [REDACTED]

[REDACTED]

Sworn to before me this
 7th day of March 1972.

Notary Public

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF NEW YORK

[REDACTED]

Plaintiffs

CIVIL 1971-410

-vs-

NELSON ROCKEFELLER, Governor, State of
 New York; RUSSELL G. OSWALD, Commissioner
 of Correctional Services, etc.; VINCENT
 MANCUSI, Superintendent, Attica Correctional
 Facility; ROBERT E. FISCHER, Deputy
 Attorney General, Defendants
 (STATE OF NEW YORK)
 (COUNTY OF WYOMING) SS:

[REDACTED]

Attica Correctional

Facility, being duly sworn, deposes and says that he is over
 twenty-one years of age, resides at 1061 Creek Road, Attica, New
 York.

About 1:15 P.M. on February 22, 1972, I was on duty in the
 Control Room on the 3rd Floor of HBZ. Officers [REDACTED]
 [REDACTED] went down the gallery to [REDACTED] I opened the
 cell and observed [REDACTED] come out of the cell and as officer [REDACTED]
 put his hand up to "pat. frisk" [REDACTED] walked past the
 officers toward the yard. [REDACTED] did not have his hands folded.
 [REDACTED] and the officers walked to the gate at the end of the
 gallery. [REDACTED] then walked back and into his cell.

At no time did I see any physical force used on inmate [REDACTED]
 by the officers.

I could not hear any of the conversation from my vantage
 point in the Control Room.

[REDACTED]

Sworn to before me this
 7th day of March 1972.

Notary Public

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b6
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BU 44-37-
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
INMATES OF THE ATTICA CORRECTIONAL

[REDACTED]

Plaintiffs

CIVIL 1971-410

-vs-

NELSON ROCKEFELLER, Governor, State of
New York; RUSSELL G. OSWALD, Commissioner
of Correctional Services, etc.; VINCENT
MANCUSI, Superintendent, Attica Correctional
Facility; ROBERT E. FISCHER, Deputy
Attorney General, Defendants
STATE OF NEW YORK)
COUNTY OF WYOMING) SS:

[REDACTED]

Attica

Correctional Facility, being duly sworn, deposes and says

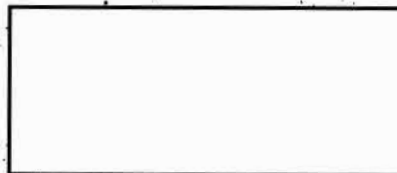
that he is over twenty-one years of age [REDACTED]

[REDACTED] New York

On February 22, 1972, I was on duty on the third floor
of HBZ. About 1:00 p.m., a correction officer walked down
the West Gallery and inquired from the inmates which ones
wanted to go to the yards. [REDACTED] answered in the affirmative.
About 1:15 p.m. I and Correction Officer [REDACTED] went to
[REDACTED] and
it was opened. [REDACTED] left his cell and as I was
about to carry out the usual "pat-frisk", he brushed by me
and continued walking toward the yard. As he walked by me I
grabbed and hung onto his coat. [REDACTED] then swore at me. I let
go of his coat and he continued to walk toward the yard and
refused to fold his arms. He walked to the yard door but I
stepped in front of him and closed the yard door. He then
inquired if this meant he couldn't go to the yard and I said
"that's right". [REDACTED] then walked back to his cell without
being ordered to go back. At no time was any physical force
used on him. Officer [REDACTED] was present with me and [REDACTED] at all

CIVIL 1971-410

times from his leaving his cell to his return.



Sworn to before me this
29th day of February 1972

Notary Public

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

[REDACTED]

Plaintiffs CIVIL 1971-410

-vs-

NELSON ROCKEFELLER, Governor, State of
New York; RUSSELL G. OSWALD, Commissioner
of Correctional Services, etc.; VINCENT
MANCUSI, Superintendent, Attica Correctional
Facility; ROBERT E. FISCHER, Deputy
Attorney General, Defendants
STATE OF NEW YORK)
COUNTY OF WYOMING) SS:

[REDACTED] being duly sworn, states he is over the
age of twenty-one years and resides at [REDACTED]
New York. I am employed as a correction officer at the
Attica Correctional Facility.

On February 22, 1972, I was on duty on the third floor
of HBZ. About 1:00 p.m. an officer went down the west gallery
and inquired as to who wanted to go out in the yard. [REDACTED]
was one of those who wanted to go out. About 1:15 p.m.
Correction Officer [REDACTED] and I went to [REDACTED] The
control operator opened the cell and [REDACTED] walked out and
walked right past us toward the yard. I ordered him to stop
and put his arms on the cell for the "pat-frisk". He just
kept walking and Correction Officer [REDACTED] grabbed his coat.
[REDACTED] jerked his arms pulling the coat out of Officer [REDACTED]
grasp and continued to walk to the yard gate. I told [REDACTED]
to fold his arms. He failed to do so. Officer [REDACTED] then
closed the gate. Inmate [REDACTED] said something like, "I suppose
this means I don't go in the yard." I said, "Go back to your
cell." At no time was any physical force used.

Later, after inmate [REDACTED] was in his cell and as I was

CIVIL 1971-410

walking down the gallery, inmate [redacted] came to his cell door and asked me to identify myself. During the brief conversation with him I made no remarks about Judge Curtin or the court.

[redacted]

Sworn to before me this
1st day of March 1972

Notary Public

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/13/72

[redacted] Attica Correctional Facility (ACF), was contacted and was advised of the identity of the interviewing Agent as well as the nature of the matter under investigation. [redacted] was further advised that Agent requested to interview Correctional Officers Lieutenant [redacted]

[redacted] stated that he would make Officers [redacted] available for interview and that [redacted] was currently off duty.

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Interviewed on 12/8/72 at Attica, New York File # Buffalo 44-592

by SA [redacted] :mk Date dictated 12/11/72

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- 15 -

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nor duplicated within your agency.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/13/72

Sergeant [] was contacted at his place of employment, Attica Correctional Facility (ACF) and was advised of the identity of the interviewing Agent as well as the nature of the matter under investigation. [] then furnished the following information:

On February 22, 1972, [] was on duty at ACF and shortly after 1:00 PM recalls that he was on the third floor of Housing Building Z (HBZ). [] explained that although he was not assigned to this building on this date he had come to the floor to determine whether or not difficulty, which he had previously reported to the locksmith, regarding the locking devices on certain cells had been corrected. [] explained that prior to becoming a Sergeant on February 3, 1972, he was the Locksmith Officer for the prison and had continued in that type of work sometime after becoming Sergeant. [] offered this explanation as to his reason for being where he was adding that he is not absolutely certain that this was the reason.

[] was standing just to the west of the control room and was looking north down the West Gallery through the door of the Gallery, which was probably opened and if not, is a barred door which can easily be seen through. [] who was standing in the control room, opened the cell door of one of the cells down the West Gallery, which was several feet from [] were standing just outside the cell door. [] commented that the third floor of HBZ is operated by four Correctional Officers and that in addition the Sergeant assigned to the building spends the majority of his time on the floor. [] further commented that when a cell door is opened at the control room, pressure is applied on the door by springs and the door will open at least part way and sometimes all the way.

[] stated he was aware that Officers [] were then in the process of escorting various inmates to open-air yard areas for exercise and assumed that they were in front of the above cell to escort an inmate in this regard.

Interviewed on 12/8/72 at Attica, New York File # Buffalo 44-592

SA []

12/11/72

- 16 -

[] stated that he saw an inmate come out of the cell, brush by the two officers," and proceed north down the Gallery. [] pointed out that he later learned this inmate was [] and believes [] has been on the third floor in HB2 since the riot by inmates at Attica in September, 1971. It is routine that when an inmate leaves his cell in this area, he will immediately after exiting the cell door withstand a pat frisk and then proceed with his arms folded across his chest. [] assumes that since [] had been confined in this manner for so long and since inmates are instructed in this procedure the first day that they are there, that [] was very well aware of this routine procedure.

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When questioned as to whether [] had actually touched the officers when exiting from his cell, [] stated that he was not certain [] had but assumes that it was probable since the officers were on either side of the door and close enough where [] may have touched them when walking by.

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The two officers followed [] to the end of the Gallery during which time words were spoken between [] and the officers. [] could not hear this conversation but assumes the officers were telling [] he would have to return to his cell and follow normal procedures or he would not be allowed to go to the exercise yard. [] commented that the only other officer present on the entire third floor was []

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[] and the officers had more conversation at the end of the Gallery, again not heard by [] and then [] observed [] proceed back to his cell with the officers behind him. [] entered his cell and one of the officers closed the door to it.

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[] stated that at no time did he see the officers touch [] in any way or [] touch the officers except that as mentioned above, when he exited from his cell. [] commented that on the way back to his cell [] spoke to several of the inmates confined in the cells as he passed by and also gestured to them giving the "black power sign," which [] commented is a raised fist. [] stated that the entire

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conversation as above could not have lasted more than 30 seconds.

When [redacted] returned to [redacted] position, near the control room, he inquired of them as to what the problem was. They advised [redacted] had refused to comply with the pat frisk and they would not, therefore, allow him to enter the exercise yard.

[redacted] commented that if there had been any sort of fight between [redacted] and the officers, he would have gone to the officers' assistance and that since he holds the rank of Sergeant, if the officers had abused [redacted] at all, he would have stopped them, placed the inmate in his cell, called for a medical person to examine the inmate, and placed the officers on report for their misbehavior.

[redacted] stated that after this short conversation with [redacted] he proceeded down the nearby stairwell and then heard an inmate yelling to the other inmates that he had been beaten. [redacted] assumed that it was [redacted] and accordingly turned to the officers, [redacted] and advised them to make out a report regarding the incident and that he would do the same.

[redacted] commented that he had been a correctional officer since June 8, 1961 and assigned at ACF since 1962. [redacted] advised that he has never been arrested and in his life time has received two traffic citations.

[redacted] stated that in view of the affidavit he has already submitted, he would decline to furnish a signed statement at this time.

The following descriptive and background data was obtained through observation and interview:

Name	[redacted]
Date of Birth	[redacted]
Height	5'11"
Weight	3 200 pounds
Hair	Dark Brown
Eyes	Brown

BU 44-592

-4-

Residence

[REDACTED]

Employment

[REDACTED] New York
[REDACTED] Attica
[REDACTED] Correctional Facility
[REDACTED] Attica, New
York.

b6
b7C

Physical
Characteristics

No obvious physical handicaps
that ~~might~~ impair the ability
of [REDACTED] to observe and
remember were noted during
interview.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/13/72

Lieutenant [redacted] was contacted at his place of employment, Attica Correctional Facility (ACF) and was advised of the identity of the interviewing Agent as well as the nature of the matter under investigation. [redacted] then provided the following information:

On February 22, 1972, [redacted]

Sometime in the earlier afternoon he was called to the third floor by Officer [redacted] who advised him that [redacted] was alleging that officers [redacted] had beaten him. Upon arriving on the third floor, [redacted] cell and was advised by [redacted] in words to the effect that one of the above officers had struck him. [redacted] that he would get a nurse to come over and look at him.

[redacted] then returned to the control room on the third floor and contacted [redacted] (now retired) and requested that he come to the third floor to look at [redacted]

At this point during the interview an unidentified correctional officer, who [redacted] entered the room that the interview was taking place in. This officer requested to speak with [redacted] and both of them left the room. A short time later [redacted] re-entered the room and advised that a directive had been issued by the Superintendent of ACF to the effect that JOHN STENGER, Attorney, had advised that all Attica personnel refuse to be interviewed by anyone regarding the brutality allegations of [redacted] and others. [redacted] then stated that based upon this advice he would decline to furnish any information. [redacted] added that he personally would like to talk to Agent and felt that [redacted] and other inmates were merely trying to intimidate officers by making these false accusations of brutality. [redacted] further commented that if anything, since Judge JOHN T. CURTIN's injunction was issued, officers have been extremely careful not to violate this injunction. [redacted] pointed out that Judge CHARLES WILLIS from Rochester, New York, and [redacted]

Interviewed on 12/8/72 at Attica, New York File # Buffalo 44-592

by SA [redacted] lmk Date dictated 12/11/72

- 20 -

BU 44-592

-2-

[redacted] were present on the third floor of HBZ during the above incident. [redacted] advised the above two persons were members of the McKay Commission and were on another Gallery at the above time. [redacted] concluded by stating that he felt he could not go against his counselor's advice and, therefore, would furnish no information.

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The following descriptive and background data was obtained through observation and interview at the outset of this interview:

Name	[redacted]
Date of Birth	[redacted]
Place of Birth	[redacted] New York
Height	5'11"
Weight	190 pounds
Hair	Light Brown (balding)
Eyes	Hazel
Employment	Correctional Officer, Rank of Lieutenant, Attica Correctional Facility, Attica, New York. New York State Correctional Officer since August, 1953 and assigned at Attica since 1967 after first tour of Attica between 1964 and 1966.
Arrests	None claimed - two traffic citations over entire life time.
Physical Characteristics	No obvious physical handicaps that might impair the ability of [redacted] to observe and remember were noted during interview.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/13/72

[redacted] Attica Correctional Facility (ACF), was telephonically contacted at his residence, Creek Road, Attica, New York. [redacted] was advised of the identity of the interviewing Agent and the nature of the matter under investigation. [redacted] was further advised that the purpose of this contact was to arrange for a suitable time and place for interview regarding the above.

[redacted] then stated that he would refuse to be interviewed by contacting Agent regarding the matter under investigation according to his attorney's instructions, Mr. JOHN STENGER.

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Interviewed on 12/13/72 at Attica, New York File # Buffalo 44-592
by SA [redacted] lmk Date dictated 12/13/72

b6
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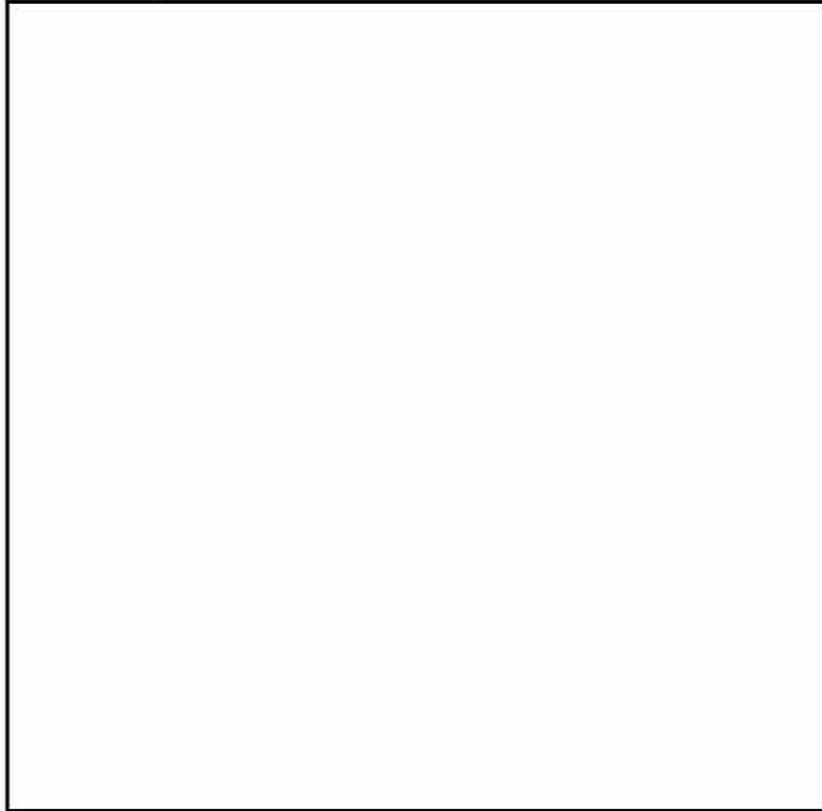
- 22 -

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

nor duplicated within your agency.

BU 44-592

On December 12, 1972, AUSA [redacted]
[redacted] was recontacted and requested that the following
inmates be interviewed furnishing the below listed information
regarding them:



[redacted] pointed out that these inmates were all
confined on February 22, 1972 on the [redacted]
[redacted] and are to be interviewed regarding what they
may have seen regarding the allegation of [redacted]

[redacted] provided one copy of a court order issued
by Judge JOHN T. CURTIN, USDC, Buffalo, New York, authorizing
the taking of photographs of the West Gallery and surrounding
area. [redacted] commented that arrangements have been made to
take these photographs at the prison on December 14, 1972 and
requested that the FBI accomplish same giving specifics
instructions as to the areas to be photographed.

F B I

Date: 12/18/72

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, NEW YORK (44-592)

SUBJECT: UNSUBS; Correctional Officers
Attica Correctional Facility
Attica (Wyoming County), NY[REDACTED]
CIVIL RIGHTS
(OO:BU)

ReNYteletype to Bureau and BU, 12/15/72 and NY telephone call to BU, 12/15/72.

[REDACTED] contacted NYO of the FBI in the afternoon of 12/15/72. He will not talk to the FBI until he talks with WILLIAM KUNSTLER or another attorney with the Attica Defense Committee. He will have them contact the NYO of the FBI, during the week of 12/18/72.

NY Division investigation continuing in Manhattan, NYC, NY, and Stormville, NY.

2 - Bureau
1 - Buffalo
1 - New YorkRJC:cer
(5)

REC-100

44-50605-151

11 DEC 20 1972

58 JAN 3 1973

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Goldard	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

NR004 NY PLAIN

937PM NITEL 12-22-72 CJR

TO ACTING DIRECTOR 44-50605

BUFFALO 44-592

FROM NEW YORK 44-2086 1P RUC

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY) NEW YORK; [REDACTED]

CIVIL RIGHTS; OO BUFFALO

REFERENCE BUFFALO TELETYPE TO BUREAU, 12/20/72.

NEW YORK DIVISION ATTEMPTS TO RECONTACT [REDACTED]

[REDACTED] (I.E. DRUG REHABILITATION CENTER, 466 WEST
23RD STREET, MANHATTAN, NEW YORK CITY) AND AT HIS RESIDENCE

[REDACTED]
NEW YORK CITY), HAVE BEEN NEGATIVE SINCE CONTACT WITH [REDACTED]
12/15/72, WHEN HE ADVISED FBI, NYC, THAT HE WOULD SPEAK TO
NO ONE UNTIL HE SPOKE TO HIS ATTORNEYS WITH ATTICA DEFENSE
COMMITTEE AND HAVE THEM CONTACT FBI IN NYC. FBI, NYC HAS HEARD
FROM NEITHER [REDACTED] NOR HIS ATTORNEYS.

NO FURTHER INVESTIGATION BY NEW YORK DIVISION UACB.

END

51 JAN 5 1973

EX-100

EG-5

44-50605-152
14 DEC 27 1972

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b6
b7C

b6
b7C

Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Edwards	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.D.	_____
Mr. Parris	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TELETYPE

S ERUW

NR 602 ^{AS} 0)AIN

9:15AM 12-21-72 URGENT MRG

TO ACTING DIRECTOR (44-50605)

BUFFALO (44-592)

FROM ALBANY (44-737) (RUC) 1P

7

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL
FACILITY, ATTICA (WYOMING COUNTY), NEW YORK;

[REDACTED]

[REDACTED]

CR. 00: BUFFALO.

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RE BUFFALO TELETYPE TO BUREAU DECEMBER TWENTY LAST.

[REDACTED]

GREATMEADOW

CORRECTIONAL FACILITY, COMSTOCK, NEW YORK, ADVISED TODAY

THAT

[REDACTED]

[REDACTED]

ATTICA

INMATE, IS CONFINED AT GREAT MEADOW.

END

PLS HOLD

GXC FBI WASHDC

12-90

44-50605-153

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151
1973

10/1/73

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

DEC 26 1972

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

NR022 NY PLAIN

920PM NITEL 12-20-72 CJR

TO ACTING DIRECTOR 44-50605

BUFFALO 44-592

FROM NEW YORK 44-2086

1P

P

UNSUBS, CORRECTIONAL OFFICERS ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY) NEW YORK; [REDACTED]

[REDACTED] CIVIL RIGHTS. OO BUFFALO.

REBUNITELS, DATED 12/12/72 AND 12/13/72 AND NYTEL,
DATED 12/15/72 AND NYAIRTEL, DATED 12/18/72.

BUFFALO NITEL SET OUT LEAD TO INTERVIEW [REDACTED]
AT GREEN HAVEN CORRECTIONAL FACILITY, STORMVILLE, NEW YORK.

OFFICIALS GHCF ADVISED [REDACTED] AUBURN
CORRECTIONAL FACILITY, AUBURN, NEW YORK ON 12/18/72.
POUGHKEEPSIE, NEW YORK NEWSPAPER REFLECTS [REDACTED] ARRAIGNED
WYOMING COUNTY COURT 12/18/72 IN CONNECTION WITH ATTICA AFFAIR.
NO FURTHER CONTACT FROM [REDACTED] OR HIS ATTORNEY
TO DATE.

END

REC-90

44-50605-154

DEC 27 1972

JAN 5 1973

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

DEC 20 1972

TELETYPE

NR004 BU PLAIN

1029PM NITEL 12-20-72 EWL

TO ACTING DIRECTOR (44-50605)

NEW YORK (44-2086)

ALBANY (44-737)

FROM BUFFALO (44-592) 2P

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cobb	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, R.S.	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mr. Neenan	_____

UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY), NEW YORK; [REDACTED]

CR. OO: BU.

REMYTELS 12/12 AND 13/72; ALBANY NITEL TO BUREAU, 12/13/72;
REPORT OF SA [REDACTED] 12/13/72, AT BUFFALO; NEW YORK TEL
TO BUREAU, 12/15/72; NEW YORK AIRTEL TO BUREAU, 12/18/72, AND
BUFFALO TELCAL TO NEW YORK 12/20/72.

ON INSTANT DATE AUSA [REDACTED] WDN, BUFFALO, NY,
CONTACTED AND REQUESTED THAT [REDACTED] ATTICA
CORRECTIONAL FACILITY (ACF) INMATE, WHO IS CURRENTLY CONFINED
AUBURN CORRECTIONAL FACILITY NOT BE INTERVIEWED. NEW YORK AND
ALBANY DISCONTINUE EFFORTS TO LOCATE AND INTERVIEW [REDACTED]
END PAGE ONE

REC-90

77

0605-155

151

482

PAGE TWO

[REDACTED] REQUESTED THAT HE BE FURNISHED WITH THE CURRENT MAILING ADDRESS OF FORMER ACF INMATE [REDACTED] AND FORMER ACF INMATE [REDACTED]

CONTACT WITH ACF INSTANT DATE DISCLOSED [REDACTED]

GREAT MEADOW CORRECTIONAL FACILITY, COMSTOCK, NY, 5/1/72.

ALBANY AT COMSTOCK, NY, DETERMINE IF [REDACTED] STILL INCARCERATED AT GREAT MEADOW AND IF NOT SET FORTH LEADS TO DETERMINE CURRENT ADDRESS.

NEW YORK AT NEW YORK, NY, WILL CONTINUE EFFORTS TO INTERVIEW

[REDACTED] AND PROVIDE BUFFALO WITH HIS CURRENT MAILING ADDRESS.

MAILING ADDRESSES OF ABOVE INDIVIDUALS SHOULD REACH BUFFALO BY COB, 12/21/72. AUSA IS MAILING SUBPOENAS FOR THESE INDIVIDUALS TO TESTIFY WHEN HEARINGS THIS MATTER COMMENCE ON 1/4/73.

END

HOLD

RES FBI WASH

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b6
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Plaint
Per Mr. Jones
TELETYPE

TO: SAC, BUFFALO

FROM: FOR THE ACTING DIRECTOR, FBI

W. MARK FELT

ACTING ASSOCIATE DIRECTOR

**INDICTMENTS FOR ALLEGED CRIMES GROWING OUT OF DISTURBANCE AT
ATTICA CORRECTIONAL FACILITY, ATTICA, NEW YORK, 9/9 - 13/71, CIVIL
UNREST.**

BUDED 12/26/72

**AN ASSOCIATED PRESS NEWS RELEASE DATED 12/19/72 INDICATES THAT
A SPECIAL GRAND JURY IN WARSAW, NEW YORK, INVESTIGATING CAPTIONED
UPRISING AT ATTICA RETURNED 37 SEALED INDICTMENTS CHARGING PRISONERS
OR FORMER PRISONERS WITH ALLEGED CRIMES GROWING OUT OF THE UPRISING.
IT STATES 17 OF THE SEALED INDICTMENTS HAD BEEN OPENED AS OF 12/19/72
AND THAT 24 PERSONS NAMED IN THE INDICTMENTS HAVE BEEN ARRAIGNED IN
WYOMING COUNTY COURT.**

**A REQUEST HAS BEEN RECEIVED AT THE BUREAU FOR THE CRIMINAL
BACKGROUND OF THE INDIVIDUALS INDICTED WHOSE NAMES HAVE BEEN PUBLICLY
DISCLOSED. THE REQUESTED INFORMATION SHOULD BE PROMPTLY OBTAINED BY
YOU PROVIDED IT CAN BE OBTAINED MOST DISCREETLY AND WITHOUT GIVING
THE IMPRESSION THAT THE BUREAU HAS ANY JURISDICTIONAL INTEREST IN THE**

Felt _____
Baker _____
Bishop _____
Callahan _____
Cleveland _____
Conrad _____
Dalbey _____
Gebhardt _____
Jenkins _____
Marshall _____
Miller, E.S. _____
Purvis _____
Soyars _____
Walters _____
Tele. Room _____
Mr. Kinley _____
Mr. Armstrong _____
Ms. Herwig _____
Mrs. Neenan _____

**JCT:11m
(6)**

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TELETYPE

MAIL ROOM ☐

TELETYPE UNIT ☐

**1 - Mr. E. S. Miller
URGENT**

**1 - Mr. G. C. Moore
1 - Mr. T. J. Smith
12/20/72**

1 - Mr. J. C. Trainor

**REC-72 44-50605-156
ST-104**

SEE NOTE PAGE TWO

WGC/6 DEC 27 1972

**12-21
8:31P**

TELETYPE TO BUFFALO

RE: INDICTMENTS FOR ALLEGED CRIMES GROWING OUT OF DISTURBANCE AT
ATTICA CORRECTIONAL FACILITY, ATTICA, NEW YORK, 9/9 - 13/72.

MATTER. IF THE INFORMATION CONCERNING ANY PARTICULAR INDIVIDUAL
CANNOT BE SECURED IN THIS MANNER, NO EFFORT SHOULD BE MADE TO OB-
TAIN IT.

THE RESULTS OF YOUR INQUIRY SHOULD BE SUBMITTED BY TELETYPE
SUITABLE FOR DISSEMINATION NO LATER THAN 12/26/72. THE INFORMATION
OBTAINED SHOULD BE SET FORTH AS BRIEFLY AS POSSIBLE IN A SEPARATE
PARAGRAPH FOR EACH INDIVIDUAL WHOSE CRIMINAL BACKGROUND HAS BEEN
OBTAINED. YOU ARE AGAIN CAUTIONED THAT THIS MATTER MUST BE HANDLED
IN A MOST CIRCUMSPECT MANNER.

NOTE:

On the morning of 12/20/72, Lt. Col. Paul Slack of the
Vice President's Office advised Supervisor [] the
Vice President had requested he secure from the FBI the criminal
background of the 24 individuals who were reported in the press
to have been indicted in connection with the Attica riots. The
Vice President is interested in what type of individuals, as to
criminal history, were involved.

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F B I

Date: 1/4/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, NEW YORK (44-2086) (e)

SUBJECT: UNSUBS; Correctional Officers Of
Attica Correctional Facility,
Attica (Wyoming County), NY;
[redacted]
CIVIL RIGHTS
(OO:BU)

no Z. rough

ReNYtel to Bureau and BU, 12/22/72; and NYtelephone call to BU, 1/2/73.

On p.m. of 1/2/73, [redacted]
[redacted] NYC Legal Aid Society, contacted the NYO of the FBI and advised that he [redacted] and whether the FBI still wished to interview [redacted] and what they wished to interview him about. The FBI advised him that they still wished to interview [redacted] and what they wished to interview him about. [redacted] advised that he would recontact the FBI on 1/3/73.

AK

On 1/3/73 [redacted] knew nothing about the incident of 2/22/72, did not wish to be interviewed and did not wish to testify. [redacted] advised that if the USA later found that [redacted] testimony was necessary, then contact him and he would recontact his client.

No further investigation by New York Division, unless contrary heard from Bureau or Buffalo Division.

(2) - Bureau
2 - Buffalo (44-592)
1 - New York

RJC:jfc
(6)

ST 113

REC-14

44-50605-157

*added to NY
1-10-73
JMF:lye*

JAN 8 1973

McDonough

Approved: *[Signature]*
Special Agent in Charge

Sent _____ M Per _____

Airtel

1/10/73

TO: SAC, New York (44-2086)

1 - Mr. MacFarlane

FROM: Acting Director, FBI (44-50605)-157
ST 113 REC-14

UNSUBS; CORRECTIONAL OFFICERS OF
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY) NY:

CIVIL RIGHTS

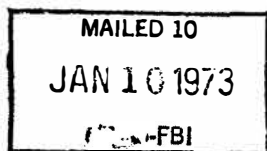
b6
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Reurairtel dated 1/4/73.

SuLHM information contained in reairtel.

JJMF:hfe
(4) *hfe*

Felt _____
Baker _____
Bishop _____
Callahan _____
Cleveland _____
Conrad _____
Dalbey _____
Gebhardt _____
Jenkins _____
Marshall _____
Miller, E.S. _____
Purvis _____
Soyars _____
Walters _____
Tele. Room _____
Mr. Kinley _____
Mr. Armstrong _____
Ms. Herwig _____
Mrs. Neenan _____



58 JAN 16 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 12/26/72	INVESTIGATIVE PERIOD 12/1 - 12/22/72
TITLE OF CASE CHANGED UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York;		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY :cc
<div style="border: 1px solid black; width: 400px; height: 100px;"></div>		CHARACTER OF CASE CR	

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Title marked "Changed" to reflect the additional alias of victim developed through investigation.

REFERENCES: Report of SA 12/13/72, at Buffalo.
Albany nitel to Bureau, 12/13/72.
New York teletype to Bureau, 12/15/72.
New York airtel to Bureau, 12/18/72.
New York nitel to Bureau, 12/20/72.
Buffalo nitel to Bureau, 12/20/72.
Albany teletype to Bureau, 12/21/72.
New York nitel to Buffalo, 12/22/72.

- P -

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
						PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED <i>Enclosure</i>				SPECIAL AGENT IN CHARGE		
COPIES MADE:				DO NOT WRITE IN SPACES BELOW		
2 - Bureau (44-50605) (Enc. 1)				<div style="font-size: 2em; font-weight: bold;">44-50605-158</div> <div style="font-weight: bold;">MCT-5</div> <div style="border: 1px solid black; padding: 5px; display: inline-block;">23 JAN 1973</div> <div style="border: 1px solid black; padding: 5px; display: inline-block;">EX-101</div>		
1 - USA, Buffalo						
1 - Albany (44-737) (Info) (Enc. 1)						
1 - New York (44-2086) (Info) (Enc. 1)						
2 - Buffalo (44-592)						
Dissemination Record of Attached Report				Notations		
Agency	10 CRD			<div style="border: 1px solid black; padding: 5px; display: inline-block;">NO DOUGH</div> <div style="border: 1px solid black; padding: 5px; display: inline-block;">BIX DATA PROJ</div>		
Request Recd.	1350					
Date Fwd.	1/8/73					
How Fwd.	8-7061					
By	JMF/la					

100 CRU
Note: Enclosed is envelope marked used by 80 scene setting path cover page at the time of the

BU 44-592

LEADS

BUFFALO

AT ATTICA, NEW YORK

Will at Attica Correctional Facility (ACF), interview VICTOR LANGFORD concerning his knowledge of alleged beating incurred by [REDACTED]

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AT BUFFALO, NEW YORK

[REDACTED] Will maintain close contact with AUSA [REDACTED] concerning developments in this matter.

ADMINISTRATIVE

All persons interviewed in this investigation were advised that this investigation was being conducted at the specific request of Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U.S. Department of Justice.

4.332
JUN 4 1973
XEROXED ORIGINAL-RETAIN

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1 - USA, Buffalo

Report of:

[REDACTED]

Office: Buffalo, New York

Date:

12/26/72

Field Office File #:

44-592

Bureau File #: 44-50605

Title:

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;

Character:

[REDACTED]

Synopsis:

CIVIL RIGHTS

On 12/14/72, 49 photographs were taken at Attica Correctional Facility (ACF) depicting area in which violation was alleged to have occurred. [REDACTED]

[REDACTED] interviewed.

Results set forth herein. [REDACTED]

[REDACTED] not interviewed. [REDACTED] refused interview and [REDACTED] not located. On 12/18 and 12/19/72, hearings to determine quality and nature of evidence in this matter were held before U.S. Magistrate EDMUND F. MAXWELL, Buffalo, N. Y., adjourned thereafter until 1/4/73. On 12/21/72, AUSA [REDACTED] WDNY, requested that former ACF inmate VICTOR LANGFORD be interviewed as potential witness to allegation made by victim [REDACTED]. Copies of supporting affidavit included herein.

- P -

BU 44-592

ENCLOSURE

Enclosed for each receiving office is one envelope marked obscene setting forth obscene language used by [redacted] [redacted] during course of interview.

b6
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The following investigation was conducted by SA [redacted]

On December 12, 1972, [redacted] New York State Parole Officer, William Donovan State Office Building, Buffalo, New York, was contacted and advised that former Attica Correctional Facility (ACF) inmate [redacted]

[redacted] stated that [redacted] was actually on parole for only three weeks when he was arrested by the Buffalo, New York Police Department and subsequently convicted of assault, third degree and sentenced to one year confinement in the Erie County Penitentiary where he is currently located.

[redacted] characterized [redacted]

According to [redacted] records, [redacted]

On December 16, 1972, Assistant United States [redacted] Western District of New York, Buffalo, New York, was provided with one copy each of 48 photographs depicting the area of Attica Correctional Facility (ACF) known as the West Gallery, third floor, Housing Building Z.

On December 18, 1972, Assistant United States Attorney [redacted] was recontacted and advised that hearings were held on this date before U. S. Magistrate EDMUND F. MAXWELL, Buffalo, New York, regarding the allegation of victim [redacted]

On December 19, 1972, Assistant United States Attorney [redacted] was contacted and advised similarly as on December 18, 1972, adding that these hearings have been adjourned until January 4, 1973, when they will commence again.

JLB:dbl

On December 20, 1972, Assistant United States Attorney [redacted] advised that he no longer desired the interview of former Attica inmate [redacted] but requested that as promptly as possible he be furnished with the current mailing address of former Attica inmate [redacted] and former Attica inmate [redacted].

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On December 20, 1972, [redacted] Attica Correctional Facility, Attica, New York, advised that [redacted] Attica Inmate [redacted] was transferred to Great Meadow Correctional Facility, Comstock, New York, on May 1, 1972.

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By communication dated December 21, 1972, the Albany Division of the Federal Bureau of Investigation advised that [redacted] is currently confined at the Great Meadow Correctional Facility.

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This information was provided to Assistant United States Attorney [redacted] on December 21, 1972. [redacted] at this time requested the interview of former Attica Inmate VICTOR LANGFORD, Attica Inmate No. T-23447, who is a witness regarding the allegation of [redacted] commented that this interview did not have to be completed until January 8, 1973. In addition at this time, [redacted] provided an affidavit regarding [redacted] allegation, a copy of which follows:

b6
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UNITED STATES DISTRICT
WESTERN DISTRICT OF NEW YORK

INMATES of ATTICA
ETC
VS PLAINTIFFS

Nelson Rockefeller
et al
Defendants

FILED

FEB 24 11 37 AM '72

U.S. DISTRICT COURT
W.D. OF N.Y.

CIV 1271-416

[redacted] being
duly sworn deposes and says:

1) That I currently am an
inmate at Attica Prison, Attica,
New York and that I am
currently being held on the
[redacted]

2) On or about the 27th of
January 1972 I was
returning to my cell from
a visit with the McKay
Commission, which is investigating
the events at Attica. At the
time I was in 1 Company A Block.

3) I entered the elevator
with an officer (whose name
I did not know but who
I would recognize by sight)
to return to my cell.

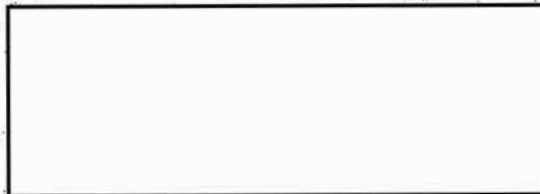
4) When the officer & I
were inside the elevator
he referred to the woman
working for the McKay

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COMMISSION as PIPS

- (5) Since these women were trying to help us I said they were not pips and that he was the real pig
- (6) At that point he smashed me with his club over my right eye and then a few seconds later he punched me in the mouth
- 7) My ^{eye} swelled up very badly and ~~the~~ X rays were taken. ~~Further~~ I still get headaches around the area I was hit

FURTHER AFFIANT SAYETH NOT



Sworn to before me
this 23rd day of February, 1972

Edward V. Brady

Notary Public

EDWARD V. BRADY
Notary Public, New York State
residing in Genesee County
Commission Expires March 30, 1973

BU 44-592

-5-

On December 22, 1972, [redacted] was recontacted and advised [redacted] is still confined at ACF.

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On the same date, Assistant United States Attorney [redacted] was contacted and was provided with the address of former inmate [redacted] as follows:

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[redacted]

[redacted] was further advised that numerous attempts to contact [redacted] after he had failed to contact the New York Office of the Federal Bureau of Investigation, had all met with negative results. [redacted] stated that in view of this, no further attempts should be made to interview [redacted]

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By communication dated December 18, 1972, the Albany Division furnished the following information:

On December 13, 1972, [redacted] Great Meadow Correctional Facility, Comstock, New York, made available his file on [redacted]

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[redacted] Judge JULIUS HELFAND, Supreme Court, Kings County, New York, to an

[redacted]

[redacted] is a Negro male, born [redacted] New York, 5'11" tall, 208 pounds, black hair, maroon eyes, religion Moslem, education 11th grade, residence [redacted] New York. [redacted]

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[redacted] Kings Criminal Court. He was transferred from Attica Correctional Facility to Great Meadow on [redacted]

BU 44-592

-6-

Concerning Inmate [redacted] who refused to be interviewed by a Special Agent of the Federal Bureau of Investigation on December 13, 1972, the following information is set forth:

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He was received from Attica on May 1, 1972. [redacted]
[redacted] Judge MITCHELL D. SCHWEITZER,
Supreme Court, New York City, [redacted]

[redacted]

Concerning the above riot, he was observed with two objects, either clubs or sticks in his hand in connection with the riot.

He is described as a Negro male born [redacted]
[redacted] New York, 5'8½" tall, 154 pounds, black hair.
maroon eyes, religion Moslem, Social Security Account No. [redacted]
[redacted] New York, relative
[redacted] His conditional release date is
[redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/72

[redacted] was contacted at the Erie County Penitentiary. [redacted] was advised of the identities of the interviewing Agents as well as the nature of the matter under investigation. [redacted] then furnished the following information:

[redacted] recalled that sometime during February, 1972 he was confined in [redacted] Attica Correctional Facility (ACF), Attica, New York. Also at this time [redacted] was confined at the same location and in the cell next to his, [redacted] further recalled an incident which occurred during this time period advising that one afternoon when [redacted] was returning from the yard area and coming down the Gallery towards his cell he stopped to speak to one of the inmates confined in another cell in the Gallery. This inmate was confined near the end of the Gallery close to the yard area and evidently [redacted] was picking up some material or literature from him. [redacted] believes this because of the conversation he overheard between [redacted] and the other inmate.

[redacted] stated he then heard [redacted] say words to the effect [redacted] or the officers at this time, and stated the next thing he heard is what sounded like one of the cell doors shaking. [redacted] assumed from all of the above that one of the officers had pushed [redacted] had hit one of the cell doors causing the above noise. [redacted] pointed out that during all of this he was laying on his bed in his cell with his head toward the bars of the front wall and that the above could have not taken more than two minutes.

After hearing the above noises, [redacted] began calling the officers obscene names and the officers in turn were using "racial slurs" at [redacted] making references to the fact that he was a Negro.

[redacted] stated as the officers and [redacted] came toward cell he could see them and four officers were forcing [redacted] back into his cell by placing their hands on him. [redacted] stated that [redacted] was not resisting to a great extent,

Interviewed on 12/14/72 at Alden, New York File # Buffalo 44-592

by SA [redacted] / JLB:lmk Date dictated 12/16/72

- 8 -

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b7Cb6
b7Cb6
b7Cb6
b7C

but on the other hand "did not go limp" [redacted] expressed himself by saying that [redacted] At no time did [redacted] strike or attempt to strike at any of the four officers.

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Also present at the time [redacted] could see [redacted] were two Correctional Officers of the rank of Sergeant. One was Sergeant [redacted] and the other was a Sergeant who had just made the rank of Sergeant [redacted] Attica, New York. [redacted] pointed out that these Sergeants took no part in getting [redacted] to his cell other than one of the Sergeants had a "set of twisters" in his hand and several other sets in his pocket. This Sergeant told the officers present he had the twisters if they needed them. [redacted] explained that a twister is a short piece of linked chain which is designed to be wrapped around a person's wrist and then twisted causing pain and thereby gaining control of that person.

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[redacted] stated he did not know the names of the four officers present but felt certain he could recognize them if he were to see them again.

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After [redacted] was in his cell and the officers had left for only a short time the Sergeant [redacted] Attica, New York, came back and talked to [redacted] This conversation was an argument as to what had exactly happened with the officers and it was ended by the Sergeant telling [redacted] he intended to "write it up."

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[redacted] recalled that when he came out of his shower that night, he observed [redacted] who according to [redacted] is [redacted] At this time [redacted] had a "knot" or swollen place on his forehead.

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[redacted] was certain [redacted] had requested to see a nurse, however, none saw [redacted] At approximately 8:00 PM that evening [redacted] asked for a nurse to examine a tuberculosis test, which had been given earlier to [redacted] An inmate nurse came to [redacted] cell, looked at him, and advised [redacted] he knew nothing of this test. This nurse also saw [redacted] and gave him aspirins. Sometime later a civilian nurse, who was a fairly new employee saw [redacted]

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[redacted] stated at this time he did not care to furnish a signed statement regarding his remarks.

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The following descriptive and background data was obtained through observation and interview:

Name	[redacted]	b6 b7C
Race	Negro	
Sex	Male	
Date of Birth	[redacted]	
Place of Birth	[redacted] ew York	
Height	6'1"	
Weight	198 pounds	
Hair	Black	
Eyes	Brown	
Incarceration	Left ACF May 19, 1972 and is currently inmate Erie County Penitentiary.	
Physical Characteristics	Wears glasses for reading only. No obvious physical handicaps that might impair the ability of [redacted] to observe and remember were noted during interview.	
Religion	[redacted]	

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/18/72

[redacted] was interviewed at the Great Meadow Correctional Facility. He was told by the interviewing Agent, who properly identified himself by exhibiting his FBI credentials, that he was being interviewed concerning an alleged altercation between [redacted] an inmate at Attica, New York Correctional Facility and a couple of correctional officers on February 22, 1972.

[redacted] said at sometime between 1:10 and 1:30 p.m. on February 22, 1972, he was locked in his cell which was [redacted] at Attica. He heard a loud commotion in the gallery area and observed an altercation between [redacted] an inmate [redacted], who was out of his cell and in the gallery area, and two correctional officers. The altercation occurred in front of [redacted]

[redacted] The altercation occurred about six feet away from where [redacted] said he did not know how it began but he observed a correctional officer referred to as number one with his right arm rapped around [redacted] neck from the rear. The officer's left arm was used to pull [redacted] back toward his cell.

Meanwhile, correctional officer number two was hitting [redacted] in the neck and chest area in a slapping and shoving motion rather than punching him with clenched fists. This officer struck [redacted] about 3 or 4 times.

During the struggle the officers were yelling to [redacted] to get into his cell and were uttering remarks (obscene) to which [redacted] responded with a remark (obscene). They said that he asked for it and appeared about to strike [redacted] again when [redacted]

[redacted] then said he would go back to his cell and he did so. The whole incident lasted no more than two minutes according to [redacted] said that there were rumors among the inmates to the effect that when [redacted] was going outside to the exercise yard one of the officers pushed him through the door. [redacted] supposedly turned to ask the officer why he had been pushed, when he questioned the officer the officer told him he would not go.

BU 44-592
AL 44-737

12/13/72

Constock, N. Y.

Interviewed on _____ at _____

File # _____

SA [redacted]

mhv

Date Dictated _____

12/13/72

by _____

BU 44-592

AL 44-737

2

Procedurally, according to [redacted] before going to the yard, inmates have to walk with their arms folded in front. So shortly before this incident inmates were stripped searched. However an order had come down from Superintendent MANCUSI advising that strip searches were no longer necessary unless inmates were seeing an outside visitor. It was common knowledge that [redacted] was antagonistic to strip searches.

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[redacted] said he preferred to confine his statement to an oral, rather than a written one.

No obvious physical handicaps that might impair the ability of [redacted] to observe and remember were noted during this interview.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 12/16/72

On December 14, 1972, Special Agent [redacted] took 49 photographs of an area known as the West Gallery, Third Floor, Housing Building #2 (HBZ), Attica Correctional Facility (ACF). A log regarding these photographs was maintained. The first roll of film is designated as one (1) and the second roll of film is designated as two (2). Below is a description of each photograph as well as certain other data obtained by Agents during the photographing process:

<u>Photograph Number</u>	<u>Description of Photograph</u>
1-1	View of Third Floor, HBZ, West Gallery, known as CW3, outside Gallery door looking toward yard area with door opened.
1-2	View of CW3 outside Gallery door looking toward yard area with door opened.
1-3	View of CW3 outside Gallery door looking toward yard area with door closed.
1-4	View of CW3 outside Gallery door looking toward yard area with door closed.
1-5	Same view as in photographs one through four taken from just inside Gallery door.
1-6	Same view as in above photographs except taken standing in front of Cell Number 9.

Interviewed on 12/14/72 at Attica, New York File # Buffalo 44-592

by SA [redacted] JLA:lmk Date dictated 12/16/72

- 13 -

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<u>Photograph Number</u>	<u>Description of Photograph</u>
1-7	View of Gallery from inside Cell Number 9 looking toward yard area (It is noted that the naked eye can observe an area from this position approximately 24 feet away or to a point just between Cells 12 and 13).
1-8	View of Gallery from inside Cell Number 9 looking toward yard area.
1-9	View of West Gallery taken from in front of Cell Number 11 looking toward yard area.
1-10	View of Cell Number 11 taken from Gallery with cell door closed.
1-11	Same view as Photograph 10 with cell door opened.
1-12	View of Cell Number 12 taken from Gallery with door closed.
1-13	Same view as photograph 12 with cell door opened.
1-14	View of Gallery from inside Cell Number 12 looking toward Gallery door (It is noted that the naked eye can see approximately 74 feet in this direction from this position).
1-15	View of Gallery from inside Cell Number 12 looking toward Gallery door.

<u>Photograph Number</u>	<u>Description of Photograph</u>
1-16	View taken from inside Cell Number 12 looking straight out into Gallery.
1-17	View of Gallery from inside Cell Number 12 looking toward yard area.
1-18	Not Printed.
1-19	View of Gallery taken from in front of Cell Number 14 looking toward yard area.
1-20	View from inside Cell Number 14 of Gallery looking toward Gallery door (It is noted that the naked eye from inside Cell Number 14 if looking toward Gallery door can see the outside wall of the Gallery to approximately a point in front of Cell Number 4).
1-21	View from inside Cell Number 14 of Gallery looking toward Gallery door.
1-22	View of Gallery area from inside Cell Number 14.
1-23	View of Gallery from inside Cell Number 14 looking toward yard area.
1-24	View of Gallery from inside Cell Number 14 looking toward yard area.
1-25	View of Gallery taken from inside Cell Number 15 looking toward Gallery door.

<u>Photograph Number</u>	<u>Description of Photograph</u>
1-26	View of Gallery taken from inside Cell Number 15 looking toward Gallery door.
1-27	View of Gallery from inside Cell Number 15.
1-28	View of Gallery looking toward yard area taken from inside Cell Number 15.
1-29	View of Gallery looking toward yard area taken from inside Cell Number 15.
1-30	View of Gallery area taken from in front of Cell Number 18 looking toward Gallery area in front of yard doors.
1-31	View of Gallery taken from inside Cell Number 18 and looking toward Gallery door.
1-32	View of Gallery taken from inside Cell Number 18 and looking toward Gallery door.
1-33	View of Gallery looking straight out Cell Number 18 taken from inside Cell Number 18.
1-34	View of Gallery taken from inside Cell Number 18 and looking toward yard area.
1-35	View of Gallery taken from inside Cell Number 18 and looking toward yard area.

<u>Photograph Number</u>	<u>Description of Photograph</u>
1-36	View of Gallery area taken from inside Cell Number 19 looking toward Gallery door.
2-1	View of Gallery area taken from inside Cell Number 19 looking toward Gallery door.
2-2	View of Gallery taken from inside Cell Number 19 looking straight out at Gallery.
2-3	View of Gallery taken from inside Cell Number 19 looking toward yard area.
2-4	View of Gallery taken from inside Cell Number 19 looking toward yard area.
2-5	View of Gallery area just inside iron grid (bar door) leading to yard area (door known as "safety vest").
2-6	View of Gallery area just inside iron grid (bar door) leading to yard area.
2-7	View of Gallery area looking toward Gallery door with corridor door opened and taken from the Gallery area near yard door.
2-8	View of Gallery area looking toward Gallery door with corridor door opened and taken from the Gallery area near yard door.

<u>Photograph Number</u>	<u>Description of Photograph</u>
2-9	View of Gallery area near yard doors taken from just outside corridor door with corridor door opened.
2-10	View of Gallery area looking toward Gallery door and taken from a point midway between Cell Numbers 1 and 2.
2-11	View of area where sink, showers and storage located taken from Gallery area just outside Gallery door.
2-12	View of control room taken from vestibule area.
2-13	View of Gallery area just outside West Gallery taken from vestibule area.

"OBSCENE"

44-50605-158

BU 44-592

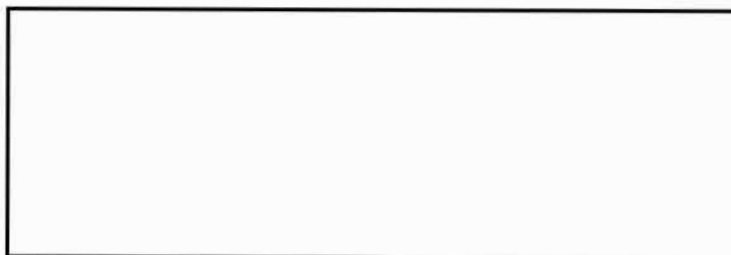
Reference is made to the report of SA [redacted]
[redacted] dated 12/6/72 at Buffalo, New York,
captioned "UNKNOWN SUBJECTS, Correctional Offi-
cers, Attica Correctional Facility, Attica,
(Wyoming County). New York: [redacted]

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[redacted]
CIVIL RIGHTS"

Page 11, Paragraph 4
Line 2

Line 3



1/29

F B I

Date: 1/12/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)
FROM: SAC, NEW YORK (44-2086) (RUC)
SUBJECT: UNSUBS;
Correctional Officers of
Attica Correctional Facility,
Attica (Wyoming County), New York;

CIVIL RIGHTS
(OO:BUFFALO)

ReNYairtel and LHM to Bureau, 1/4/73; Buairtel to
New York, 1/10/73.

Enclosed for the Bureau are three (3) copies of an LHM,
which are self-explanatory. Enclosed for Buffalo are two (2)
copies of such LHM.

No further investigation by New York Division, unless
contrary heard from Bureau or the Buffalo Division.

- 2 - Bureau (Encls. 3) ENCLOSURE
1 - New York ST-103
2 - Buffalo (Encls. 2) REC-70

RJC:laa
(6)

1 CC CRU
1 CC RD
1/16/73
O-70 (F)
JIMF/10a

3 JAN 15 1973

Approved: _____
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
New York, New York
January 12, 1973

In Reply, Please Refer to
File No.

Unknown Subjects;
Correctional Officers of
Attica Correctional Facility,
Attica, (Wyoming County), New York

[REDACTED]

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On PM of January 2, 1973, [REDACTED]
[REDACTED] New York City Legal Aid Society, contacted
the New York Office of the Federal Bureau of Investigation
(FBI) and advised that he represented [REDACTED]
whether the FBI still wished to interview [REDACTED] and what they
wished to interview him about. The FBI advised him that
they still wished to interview [REDACTED] and what they wished to
interview him about. [REDACTED] advised that he would
recontact the FBI on January 3, 1973.

On January 3, 1973, [REDACTED]
knew nothing about the incident of February 22, 1972, did
not wish to be interviewed and did not wish to testify.
[REDACTED] advised that if the United States Attorney later
found that [REDACTED] testimony was necessary, then contact
him and he would recontact his client.

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This document contains neither recommendations nor conclusions
of the Federal Bureau of Investigation. It is the property of
the Federal Bureau of Investigation and is loaned to your
agency; it and its contents are not to be distributed outside
your agency.

1*

44-50605-159

ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 1/16/73	INVESTIGATIVE PERIOD 1/2 - 15/73
TITLE OF CASE UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 20px;"></div>	TYPED BY :cap
		CHARACTER OF CASE CR	

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b7cREFERENCES:

Report of SA dated
12/26/72, at Buffalo.
New York airtel to Buffalo, 1/4/73.
Buffalo airtel to New York, 1/15/73.

- P -

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
APPROVED <i>RHM</i> <i>PLM</i>					SPECIAL AGENT IN CHARGE	
COPIES MADE:					DO NOT WRITE IN SPACES BELOW	
② - Bureau (44-50605) 1 - USA, Buffalo 1 - New York (44-2086) (Info) 2 - Buffalo (44-592)					44-50605-160 18 JAN 22 1973 REC-86 EX-101	
Dissemination Record of Attached Report					Notations	
Agency	100-44-25				NOT ENOUGH SIX DATA PROC	
Request Recd.						
Date Fwd.	57 JAN 29 1973					
How Fwd.	BY					
By	J. J. F. Edl					

COVER PAGE

BU 44-592

LEADS

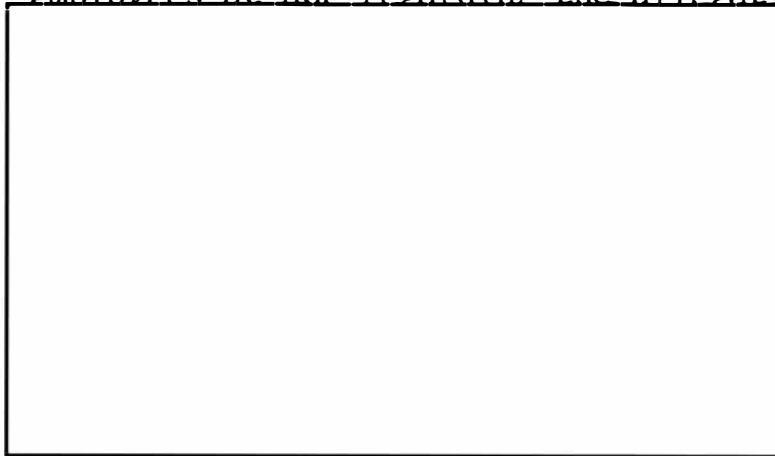
BUFFALO

AT ATTICA, NEW YORK

(1) Will take photographs of the second and third floors of Housing Building 2, Attica Correctional Facility (ACF) as requested by AUSA [redacted] WDNY.

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(2) Will attempt to interview the following employees at ACF regarding the allegation of victim [redacted]



AT BUFFALO, NEW YORK

(1) Will prepare charts depicting the second and third floors of Housing Building 2, ACF, as requested by AUSA [redacted]

(2) Will maintain close contact with AUSA [redacted] regarding developments in this matter.

ADMINISTRATIVE

All persons interviewed in this investigation were advised that this investigation was being conducted at the specific request of Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice.

4332
JUN 14 1979
XEROXED ORIGINAL-RETAIN

- B -
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9

BU 44-592

An information copy of this report is being furnished New York in view of prior investigation conducted by that Division and contained in this report.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Office: Buffalo, N. Y.

Date: 1/16/73

Field Office File #:

44-592

Bureau File #: 44-50605

Title:

UNKNOWN SUBJECTS; Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York;~~XXXXXX~~~~XXXXXX~~

Character: CIVIL RIGHTS

Synopsis:

AUSA [REDACTED] WDNY, Buffalo requested investigation concerning allegation made by victim [REDACTED] and furnished copy of [REDACTED] affidavit which is set forth. Attica inmate VICTOR LANGFORD, who is assigned as elevator operator, hospital, Attica Correctional Facility (ACF) interviewed and does not recall alleged incident involving victim [REDACTED]. Photographs of hospital elevator, ACF taken. Hearings before U. S. Magistrate EDMUND F. MAXWELL, WDNY regarding allegation of victim [REDACTED] to commence 1/24/73.

- P -

Details:

BU 44-592

By communication dated January 4, 1973, the New York Division of the FBI furnished the following information:

On P.M. of January 2, 1973, [redacted] New York City Legal Aid Society, contacted the New York Office of the FBI and advised that he represented [redacted] desired to know if the FBI still wanted to interview [redacted] and what they wanted to interview him about. The FBI advised [redacted] that they still desired to interview [redacted] and the nature of the interview was explained to [redacted]

On January 3, 1973, [redacted] knew nothing about the incident of February 22, 1972, did not wish to be interviewed and did not wish to testify. [redacted] advised that if the U. S. Attorney later found that [redacted] testimony was necessary, then contact him and he would recontact his client.

On January 8, 1973, Assistant U. S. Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York, was contacted and requested that several photographs of the elevator in the hospital building at Attica Correctional Facility (ACF), Attica, New York be taken and provided to him.

On January 9, 1973, [redacted] New York State Attorney General's Office, was contacted at the ACF, Attica, New York and advised that photographs of the elevator in the hospital could be taken by Agent on January 15, 1973.

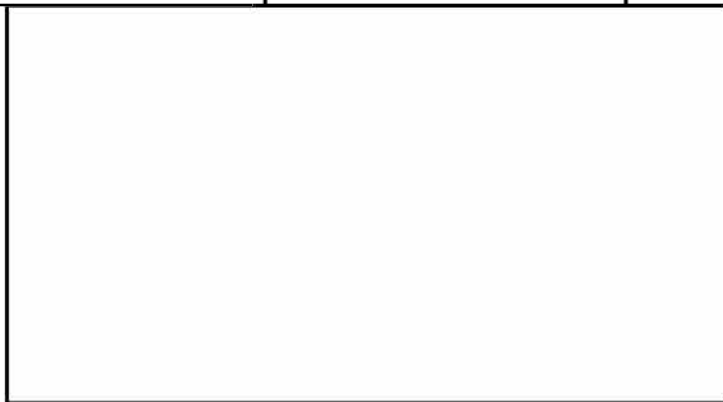
On January 9, 1973, AUSA [redacted] was recontacted and provided with the results of the interview of ACF inmate VICTOR LANGFORD.

On January 12, 1973, AUSA [redacted] was recontacted and stated that hearings will commence on January 24, 1973 before U. S. Magistrate EDMUND F. MAXWELL, WDNY, Buffalo, New York regarding the allegations of victim [redacted]

BU 44-592

AUSA [] stated that he desired a chart to be made regarding the floor plan of the third floor, Housing Building Z, ACF and the second floor of the same building. AUS [] also requested various photographs of the same two floors as above. In addition, AUSA [] requested the interview of the following ACF employees regarding allegation of victim []

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AUSA [] then provided one copy of victim GONZALEZ's affidavit regarding his allegation, which is as follows:

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

X

INMATES OF THE ATTICA CORRECTIONAL
FACILITY, et al.,

Civil No. 1971-410

Plaintiffs,

AFFIDAVIT

- against -

NELSON ROCKEFELLER, Governor, State
of New York, et al.,

Defendants..

X

STATE OF NEW YORK) ss.:
COUNTY OF WYOMING)

[redacted] being duly sworn, says and deposes that:

1. I am making this affidavit in behalf of the issuance of an Order to Show Cause to hold various persons in contempt for a brutal beating inflicted upon me and for the acts of harassment from reading and arbitrarily censoring and confiscating my legal files.

2. That I currently am incarcerated at Attica Prison, Attica, New York, where I am [redacted]

3. On or about 10:30 a.m. on February 17, 1972, when I was being taken to the first floor of the reception building to see my lawyer, I was escorted there by a Correction Officer whose first name I know as [redacted] and another officer whose name I do not know, but who I could identify by sight. Both of these officers examined all of the legal file containing all my papers both those written by my lawyer and those written by me to my lawyer. Nothing was confiscated in that search which I believe violated the confidentiality of my relationship with my lawyer. I further believe that such a search constituted an act of

harassment against myself and also against all others who are kept in H.B.Z. since, upon information and belief, I understand that persons in the general population are not subjected to such search, censorship and possible confiscation of their legal files.

4. On or about 12:30 in the afternoon of the same day, I returned from the interview room where I had been with my lawyer.

5. On the third floor of the reception building, where I am searched before I can return to my cell, I was approached by Officer [] who proceeded to look through my legal papers in my legal file. I know this Officer to be [] since I had earlier in the day on the 17th of February asked him what his name was when he came, for the first time to H.B.Z. and proceeded to make identifications of me and of others. I additionally was familiar with him since it was he who had placed an "X" on my back out in the yard on September 13th, 1971.

6. As he looked through my papers, Officer [] seized and retained various of my papers. I asked [] what he was doing and additionally informed him that I had had those papers with me for the last two days and that I had been searched and permitted to keep those papers.

7. I then asked to see an officer in charge of the segregation area. By that time, Lieutenant [] and other persons whose names I do not know by whom I could identify by sight, had arrived in the area which is adjacent to the South side of H.B.Z. Upon information and belief, it is my understanding that several persons whose cells are on this side of H.B.Z. heard and observed the events that then occurred. Among those who heard all that transpired, were []

8. Officer [] then moved behind me and struck me on the

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left side of my head. I was then attacked by several of the officers who grabbed me by the throat, threw me down to the floor, and proceeded to kick me in the head, chest and testicles. A stick was then jammed under my arm and my arm was completely twisted around. I was left on the floor.

9. I was told that I had to have a picture taken of me.

Lieutenant [REDACTED]

[REDACTED] I asserted my constitutional right not to have a picture taken. The officers then grabbed my arms and head and held me on the floor and thereafter pulled me up and a picture was taken against my will. I then was chained with my wrists held outwards.

10. I was told to return to my cell on the third floor of H.B.Z. I said that I was not going until my right to my legal material had been determined by persons in charge of the Prison. The Officers then said something to the effect of "take him to his cell". As I stood there, I was grabbed in several parts of my body by a few officers who proceeded to drag me away from my cell and towards the second floor.

11. These officers started to punch me from behind. I recall that someone said "Don't touch him on his face!".

12. I then was brought onto the second floor of H.B.Z. by those officers. Upon information and belief, [REDACTED]

[REDACTED] observed and overheard the subsequent events. I was then dragged down the floor, pulled by the manacles which were on my wrists and kicked as those officers threw me into a cell.

13. I presently have lost much of the sensation in my wrist (right hand) since my right wrist was violently twisted and

manacled. I also have an abrasion on the left side of my face that is approximately four (4) inches long. Additionally, I have a number of bruises all over my body, including my arms, my neck and my back; I am experiencing pain.

WHEREFORE, deponent asks that an order issue directing a citation of contempt be entered against the employees of the Department of Corrections who committed acts of physical brutality and harassment against me, and that an order issue for a hearing where I can present in detail both testimony and my witnesses to these events and further identify, in court, all correction officers responsible for these events, and for such other and further relief as the Court may deem proper.

Sworn to before me this
20 day of February, 1972

Barbara Handschu
NOTARY

BARBARA HANDSCHU
NOTARY PUBLIC, STATE OF NEW YORK
No. 31-6755385
Qualified in New York County
Commission Expires March 30, 1972

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 1/15/73

VICTOR GEORGE LANGFORD, inmate, Attica Correctional Facility, was contacted and was advised of the identities of the interviewing Agents as well as the fact that investigation was being conducted regarding possible brutality by an Attica Correctional officer against inmate, [redacted] on January 27, 1972. LANGFORD was advised that the purpose of this contact was to obtain any information he had regarding this incident. LANGFORD stated that he has been in prison for the past 12 years after his conviction of murder, second degree and sentencing of a minimum of 30 years confinement and maximum of natural life confinement. LANGFORD then furnished the following information:

LANGFORD is a permanent patient of the prison hospital due to a cancer condition and is employed there as the elevator operator.

During January, 1972, the Mc Kay Commission was at the prison and was interviewing various inmates regarding the riot at the prison during September, 1971. Some of the inmates being interviewed were confined on the third floor of the hospital as was [redacted]. LANGFORD is certain he could not recognize [redacted] nor could he recognize the correctional officer allegedly involved in the above incident.

LANGFORD recalled that sometime in the morning on a day in January, 1972, he was approached on the first floor of the hospital by a correctional officer, who asked him if he had just seen a correctional officer hit an inmate on the elevator. During this contact, LANGFORD was at the elevator and had been operating it all that morning. LANGFORD is certain that he was not relieved by anyone on that morning and therefore assumes that if any incident had occurred on the elevator, he would know about it. LANGFORD commented that he works, beginning at 8:00 A. M. and ending at 12:00 noon every day of the week and resumes work at 1:00 P. M. through 4:00 P. M. every day except Sunday and Saturday.

LANGFORD replied to the above officer that he had seen no incident and the officer then told him that an inmate was alleging that he had been hit by an officer on the elevator

Interviewed on 1/9/73 at Attica, New York File # Buffalo 44-522
by SA [redacted] and JLB:ph Date dictated 1/10/73

- 8 -

just a few minutes ago. LANGFORD stated that after this officer left, a correctional officer of the rank of Sergeant approached him and questioned him in the same manner, and he replied to this Sergeant in the same way that he had replied to the first officer.

LANGFORD was again questioned regarding the possibility that he could have been absent from the elevator for a few minutes when this incident could have occurred. LANGFORD stated that he was still certain that on that day, he had not left the elevator for any reason between 8:00 A. M. and 12:00 noon and further was certain that while the Mc Kay Commission was at Attica, he took no breaks for any reason during his hours of work as stated above.

LANGFORD advised that he did not wish to furnish a signed statement regarding his remarks but that he would be willing to testify in United States District Court regarding these remarks.

The following descriptive and background data was taken through observation and interview:

Name	VICTOR GEORGE LANGFORD
Sex	Male
Race	White
Date of Birth	April 7, 1897
Place of Birth	Kintburg, England
Height	5'2"
Weight	132
Hair	White/gray
Eyes	Hazel
Physical Characteristics	No obvious physical handicaps that might impair the ability of LANGFORD to observe and remember, were noted during interview

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/15/73

On January 15, 1973, Special Agent [redacted] took nine photographs depicting the elevator in the hospital at Attica Correctional Facility (ACF), Attica, New York and the areas on the first and third floors immediately outside the elevator. The following is a description of each photograph taken:

<u>Photograph No.</u>	<u>Description</u>
1	Elevator on first floor, looking inside, both doors open
2	Elevator on first floor, looking inside, both doors open
3	Photograph underexposed as flashbulb did not operate
4	Elevator on first floor, looking inside, grid door closed, solid door open
5	Elevator on first floor, looking inside, both doors closed
6	Elevator on third floor, inside elevator, looking out, both doors open.
7	Elevator on third floor, looking inside, both doors open
8	Elevator on third floor, looking inside, grid door closed
9	Elevator on first floor, inside elevator looking out, both doors open

Interviewed on 1/15/73 at Attica, New York File # Buffalo 44-592

by SAs [redacted] and [redacted] ULB:cap Date dictated 1/15/73

- 10* -

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F B I

Date: 1/19/73 1125

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County),
New YorkCR
(OO: Buffalo)Re report of SA [redacted] dated 1/16/73
at Buffalo, Buffalo telcar and niter to Alexandria,
1/18/73.Enclosed for the Bureau are four (4) copies
of a self-explanatory LHM.One copy of this LHM has been forwarded to the
USA, Buffalo.One information copy is being furnished to
Alexandria in view of their investigative interest
in this matter.

- 2 - Bureau (Encs. 4) (AM)
1 - Alexandria (Enc. 1) (Info) (AM)
2 - Buffalo

JL Bms

(55)

Approved: R. H. A. [signature]
Special Agent in Charge

Sent _____ M Per _____

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b7Cb6
b7C

REC 43

44-50605-161

JAN 23 1973

[signature]

BU 44-592

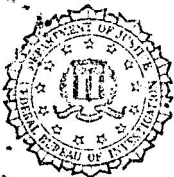
LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will maintain close contact with AUSA [redacted]
[redacted] regarding this matter and upon receipt of request
for investigation will expeditiously conduct same,
appropriately reporting results to Bureau.

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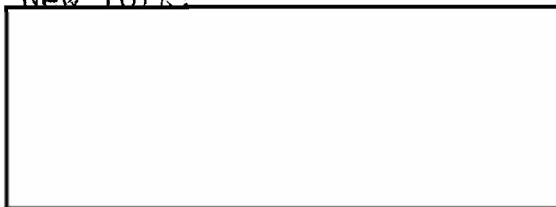
UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York
January 19, 1973

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County),
New York:



CIVIL RIGHTS

Reference is made to report dated January 16, 1973 at Buffalo, captioned as above. As indicated in this report Assistant United States Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York, on January 12, 1973 requested investigation with regard to allegations made by victim [redacted] on January 18, 1973 requested that this investigation be held in abeyance until he could obtain approval from JOHN STENGER, Attorney representing Attica Correctional Facility (ACF) employees, to have this investigation conducted. [redacted] stated that Mr. STENGER desired a request in writing which he is currently in the process of preparing. [redacted] advised that he would notify the FBI when he wanted this investigation conducted.

With regard to the hearings in captioned matter before United States Magistrate EDMUND F. MAXWELL, Buffalo, New York, [redacted] noted that hearings regarding the

ENCLOSURE

44-50605-161

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UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County),
New York;



CIVIL RIGHTS

allegations of victim [redacted] had ended on January 8, 1973 and that hearings would commence regarding victim [redacted] on January 24, 1973. [redacted] further noted that he did not anticipate hearings regarding the allegations of all five victims in this matter to end prior to April 1, 1973.

In addition, [redacted] pointed out that he was approaching each one of the victim's complaints individually and, therefore, would not know what investigation will be required until he actually starts to prepare for the hearing. [redacted] added that United States Magistrate MAXWELL had indicated to him that no decision would be made in any of the five separate hearings until testimony in all five cases had been heard and that this was to insure objective testimony in remaining hearings. [redacted] noted that a premature release of a decision in the first matter might have an adverse effect on testimony by ACF inmates, correctional officers or other witnesses.

On January 18, 1973, [redacted] requested that pending investigation continue to be held in abeyance, but that immediate steps be taken to determine the current residence address of former ACF superintendent VINCENT R. MANCUSI, who is now retired. [redacted] requested that inquiries in this regard not be made with any New York State officials.

On January 18, 1973, [redacted] Credit Bureau of Batavia, Batavia, New York, advised that

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County),
New York:



CIVIL RIGHTS

VINCENT R. MANCUSI currently resides at 6224 Cumberland Avenue, Springfield, Virginia. On the same date a review of the current telephone directory for Springfield, Virginia discloses a listing for VINCENT R. MANCUSI, 6224 Cumberland Avenue.

On January 18, 1973, [redacted] was advised of the results of investigation as above.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller

FROM : H. A. Boynton, Jr. *HEB*

SUBJECT: DISTURBANCE AT ATTICA
CORRECTIONAL FACILITY
ATTICA, NEW YORK, 9/9-13/71
INQUIRY BY VICE PRESIDENT

1 - Mr. R. E. Gebhardt
1 - Mr. J. D. Purvis
1 - Mr. E. S. Miller

DATE: 1/2/73

1 - Mr. T. J. Smith
1 - Foreign Liaison
1 -

Felt ☒
Baker ☐
Callahan ☐
Cleveland ☐
Conrad ☐
Dalbey ☐
Gebhardt ☐
Jenkins ☐
Marshall ☐
Miller, E.S. ☒
Purvis ☒
Soyars ☐
Walters ☐
Tele. Room ☐
Mr. Kinley ☐
Mr. Armstrong ☐
Ms. Herwig ☐
Mrs. Neenan ☐

This is to recommend dissemination to the Vice President of FBI Identification records concerning 36 individuals who have been arraigned in regard to indictment growing out of the Attica prison riots.

On 12/20/72 Lt. Colonel Paul Slack of the Vice President's Office advised Supervisor the Vice President had personally requested that his office secure from the FBI criminal backgrounds of the individuals who have been indicted in connection with the Attica riots. Colonel Slack advised that the Vice President has been personally concerned over the press coverage of these disturbances particularly in citing the criminal records of only those individuals who were in prison on relatively minor charges. The press has not reported the much more serious criminal histories of other persons indicted.

It was explained to Colonel Slack that the Bureau was not investigating the disturbances and, therefore, did not have the identities of these individuals and it would be difficult to approach State authorities requesting their identities without disclosing the White House interest. This is further complicated by the Bureau's position regarding allegations of violation of the prisoners' civil rights by correctional authorities. Colonel Slack explored the

HHH:dlm
(7)

CONTINUED - OVER

REC-67

44-50605-168

5 JAN 24 1973

Train
RESEARCH SECTION

36 ENCLOSURE
encl. date

58 FEB 2 1973

Memorandum to Mr. E. S. Miller
RE: DISTURBANCE AT ATTICA CORRECTIONAL
FACILITY, ATTICA, NEW YORK, 9/9-13/71
INQUIRY BY VICE PRESIDENT

possibility of the Vice President's Office securing the identities through the Office of Governor Rockefeller, but the Vice President's Office found itself in an equally delicate position.

Through a discreet source, our Buffalo Office was able to determine the names, date and place of birth of the 36 individuals so far arraigned. When all of the sealed indictments are returned, there will be a total of 52 persons arraigned. Positive identification such as FBI or other arrest numbers are not available to the FBI without open inquiry. Based on the limited data obtained by our Buffalo Office, the Identification Division has located 36 criminal records which possibly refer to the individuals involved. These records do show a number of serious charges including murder, armed robbery and manslaughter.

Without fingerprints or positive identification numbers, these records cannot be said to be identical in every case with the prisoner's arraigned.

ACTION:

If approved, Colonel Slack will be furnished the 36 FBI Identification records with the clear explanation that these records are only possibly identical with the prisoners involved and that positive identifications cannot be made except as stated above.

Handled with Slack 1/10/72 RPH *GAD*
Approved. *EM/med*
Jm *LOGC*
1-3 *DEM/UMR*
8:39P *RPH*
1/10/72 - additional records on
slant in Buffalo VT 1-4-72
furnished to Slack. no further
request for info made
RPH

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, ES	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mr. Neenan	_____

NR001 BU PLAIN

JAN 4 1973

TELETYPE

12:59 PM URGENT 1-4-73 NDN

TO ACTING DIRECTOR

ATTENTION: IDENTIFICATION DIVISION AND DID

FROM BUFFALO (157-1711) (P) 3P

INDICTMENTS FOR ALLEGED CRIMES GROWING OUT OF DISTURBANCE AT ATTICA
CORRECTIONAL FACILITY, ATTICA, NEW YORK, 9/9 - 13/71, CIVIL UNREST.

REMYTEL, 12/22/72.

INDICTMENTS RETURNED BY THE SPECIAL WYOMING COUNTY, NY, GRAND
JURY INVESTIGATING THE ATTICA PRISON RIOT OF 9/9-13/71, HAVE BEEN
OPENED UPON ADDITIONAL ARRAIGNMENTS BEFORE SUPREME COURT JUSTICE
CARMAN F. BALL AT WARSAW, NY. ON 1/4/73, INFORMATION WAS RECEIVED
FROM A CONFIDENTIAL SOURCE IN A POSITION TO KNOW THAT THE NAMES OF
60 DEFENDANTS ARE NOW KNOWN, OF WHICH THE WHEREABOUTS OF SEVERAL
REMAIN UNKNOWN. THIS SOURCE FURNISHED THE FOLLOWING INDIVIDUALS
ALONG WITH THEIR BIRTH DATE AND PLACE OF BIRTH AS THOSE ADDITIONALLY
NAMED BEYOND THE ORIGINAL 36 NAMES PREVIOUSLY FURNISHED.

REC-91

44-50605-163

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PAGE TWO

BU 157-1711

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b7D

ADMINISTRATIVE:

THE SOURCE NOTED IS [REDACTED]

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b7D

[REDACTED] NY, WHO HAS BEEN IN CONTACT WITH SA [REDACTED]

AS PREVIOUSLY NOTED, NO OPEN CONTACTS HAVE BEEN MADE OR ARE
CONTEMPLATED IN REGARD TO THIS MATTER DUE TO THE CONFIDENTIAL NATURE
INVOLVED.

END PAGE TWO

11/15/81

PAGE THREE

BU 157-1711

BUFFALO WILL CONTINUE TO REVIEW OFFICE INDICES AND WILL FURNISH PERTINENT CRIMINAL BACKGROUND INFORMATION NOTED ON ALL OF THE INDIVIDUALS NAMED, FOR THE INFORMATION OF THE BUREAU.

THE FBI IDENTIFICATION DIVISION IS REQUESTED TO CAUSE A NAME SEARCH TO BE MADE OF THESE ADDITIONAL 24 NAMES MENTIONED IN THIS COMMUNICATION, NOTING EACH PERSON WAS INCARCERATED AT THE ATTICA CORRECTIONAL FACILITY, ATTICA, NY, IN 9/71, AND FURNISH COPIES OF THE IDENTIFICATION RECORDS FOR THESE PERSONS TO THE DOMESTIC INTELLIGENCE DIVISION IN COMPLIANCE WITH THE SPECIAL REQUEST RECEIVED BY THE BUREAU REGARDING PRIOR CRIMINAL ACTIVITIES OF THESE PERSONS.

P.

END.

JGM FBI WASHDC CLR

VIA TELECOPIER
TO IDENT

CC MILLER

For destroyed 1-4-73 Lg

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

DEC 22 1972

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gebhardt	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Purvis	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

NR008 BU PLAIN

1028PM NITEL 12-22-72 EWL

TO ACTING DIRECTOR (ATTN IDENT. DIV.) (ATTN DID)
FROM BUFFALO (157-1711) 7P

INDICTMENTS FOR ALLEGED CRIMES GROWING OUT OF DISTURBANCE
AT ATTICA CORRECTIONAL FACILITY, ATTICA, NY, 9/9 - 13/71,
CIVIL UNREST, BUDED 12/26/72

REBUTEL TO BUFFALO, 12/20/72.

A SPECIAL WYOMING COUNTY, NY, GRAND JURY INVESTIGATING THE
ATTICA PRISON RIOT OF 9/9-13/71, RETURNED 37 SEALED
INDICTMENTS ON 12/15/72. SINCE 12/18/72, PERSONS NAMED
IN THE INDICTMENTS ARE BEING BROUGHT BEFORE STATE
SUPREME COURT JUSTICE CARMAN F. BALL AT THE WYOMING COUNTY
COURT HOUSE, WARSAW, NY, AT WHICH TIME INDICTMENTS REGARDING
THESE INDIVIDUALS ARE OPEN.

INFORMATION HAS BEEN RECEIVED FROM A CONFIDENTIAL SOURCE IN A
POSITION TO KNOW, THAT THERE WILL BE 52 DEFENDANTS AS A RESULT OF THE
37 SEALED INDICTMENTS IN THIS MATTER.

END PAGE ONE

57 FEB 2 1973

REC-92

44-50605-104

5 JAN 24 1973

5-12-1973

PAGE TWO

TO DATE, ACCORDING TO THE CONFIDENTIAL SOURCE 36
SUBJECTS HAVE APPEARED IN THE WYOMING COUNTY COURT HOUSE
IN REGARD TO THESE INDICTMENTS. ADDITIONAL INDIVIDUALS
WILL SUBSEQUENTLY BE APPEARING.

ACCORDING TO THE SOURCE, THE FOLLOWING INDIVIDUALS
ALONG WITH THEIR BIRTH DATE AND PLACE OF BIRTH ARE THOSE WHO
HAVE BEEN BROUGHT INTO COURT AS A RESULT OF THESE SEALED
INDICTMENTS:

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PAGE THREE



PAGE FOUR

ADMINISTRATIVE

THE SOURCE NOTED ABOVE IS [REDACTED]

[REDACTED] NY, WHO WAS CONTACTED ON

12/21-22/72, BY SA [REDACTED]

THIS SOURCE HAS

ADVISED THAT HE WILL ADDITIONALLY FURNISH THE IDENTITIES ALONG WITH BIRTH DATA OF SUBSEQUENT PERSONS ARRAIGNED IN THIS MATTER.

BUFFALO IS OF THE OPINION THAT, OTHER THAN ABOVE SOURCE, ANY CONTACT WITH THOSE PERSONS HAVING ACCESS TO THE INFORMATION REQUESTED BY THE BUREAU COULD NOT BE CONTACTED WITH ABSOLUTE ASSURANCE THAT OFFICIALS IN WYOMING COUNTY, NY, AND/OR AT THE ATTICA REFORMATORY OR NYS TASK FORCE WOULD NOT BE AWARE OF SOME FBI INTEREST IN THIS MATTER. FOR INFORMATION, MANY OF THE INDICTED SUBJECTS WERE TRANSFERRED AND/OR PAROLED SUBSEQUENT TO THE RIOT TO OTHER NYS PENAL INSTITUTIONS AND THE FILES CONCERNING THESE PERSONS WOULD NOT BE AT THE ATTICA REFORMATORY.

END PAGE FOUR

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PAGE FIVE

IT IS POINTED OUT^T FURTHER THAT DIRECT CONTACTS IN THIS MATTER NO MATTER HOW DISCREET AND IF KNOWN TO OTHER AUTHORITIES, MIGHT BE INFERRED TO DEAL WITH THE PRESENT CIVIL RIGHTS INVESTIGATION PRESENTLY BEING CONDUCTED BY BUFFALO. THIS CASE IS ENTITLED "UNSUBS; CORRECTIONAL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING COUNTY) NY. [REDACTED] INMATES OF ATTICA - VICTIMS, " BUFILE 44-50605, BUFFALO FILE 44-592. CURRENT INVESTIGATION INVOLVES POSSIBLE VIOLATION OF AN INJUNCTION ISSUED BY JUDGE JOHN T. CURTIN, USDC, BUFFALO, NY, SUBSEQUENT TO THE RIOT. THIS INJUNCTION PROHIBITED ATTICA CORRECTIONAL FACILITY OFFICIALS FROM USING BRUTALITY OR "RACIAL SLURS" AGAINST INMATES OF ATTICA. VICTIMS ALLEGED INJUNCTION VIOLATED ON FIVE SPECIFIC OCCASIONS.

[REDACTED] HAS BEEN APPOINTED BY NYS ATTORNEY GENERAL TO REPRESENT ATTICA EMPLOYEES NAMED BY
END PAGE FIVE

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PAGE SIX

VICTIMS ABOVE. [] HAS ADVISED ALL EMPLOYEES TO
FURNISH NO STATEMENTS REGARDING VICTIMS' ALLEGATIONS.
SINCE BUFFALO HAS CONTACTED THESE EMPLOYEES, IT IS FELT
THAT ANY INQUIRY MADE AT THIS TIME OF ATTICA OFFICIALS
COULD BE CONSTRUED AS AN INQUIRY REGARDING INVESTIGATION
IN THIS CIVIL RIGHTS MATTER, AS ALL ATTICA EMPLOYEES
CONTACTED TO DATE ARE VERY MUCH ON GUARD REGARDING
DISCLOSURE OF INFORMATION.

IN VIEW OF ABOVE, BUFFALO DOES NOT FEEL ANY DIRECT
CONTACTS REGARDING CAPTIONED MATTER CAN BE MADE OTHER
THAN THAT NOTED AND HAGR, THIS IS NOT BEING DONE AT
THIS TIME.

THE FBI IDENT. DIV. IS REQUESTED TO CAUSE A NAME
SEARCH TO BE MADE OF THE 36 NAMES MENTIONED IN THIS
COMMUNICATION, NOTING EACH PERSON WAS INCARCERATED
AT THE ATTICA CORRECTIONAL FACILITY, ATTICA, NY, IN 9/71,
AND FURNISH COPIES OF THE IDENTIFICATIONS RECORDS FOR
END PAGE SIX

b6
b7c

PAGE SEVEN

THESE 36 PERSONS TO THE DOMESTIC INTELLIGENCE DIVISION IN COMPLIANCE WITH SPECIAL REQUEST RECEIVED BY THE BUREAU REGARDING PRIOR CRIMINAL ACTIVITIES OF THESE PERSONS.

BUFFALO WILL CONTINUE TO REVIEW THE FILES OF THE BUFFALO OFFICE REGARDING THESE INDIVIDUALS FURNISHING PERTINENT INFORMATION THEREFROM TO THE BUREAU AND WILL MAINTAIN CONTACT WITH SOURCE FOR THE IDENTITIES OF ADDITIONAL DEFENDANTS TO APPEAR IN WYOMING COUNTY, NY, REGARDING INSTANT MATTER.

P.

END

RES FBI WASH DC

CC: MR. PETERS

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 1/26/73	INVESTIGATIVE PERIOD 1/18-26/73
TITLE OF CASE UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York;		REPORT MADE BY [REDACTED]	TYPED BY :lmk
[REDACTED]		CHARACTER OF CASE CR	

Inmates of Attica - VICTIMS

REFERENCES:

Alexandria nitel to Buffalo dated 1/19/73 (IO).
 Buffalo airtel to Bureau dated 1/19/73.
 Buffalo telcalls and nitel to Albany and New
 York, 1/24/73 (IO).
 Albany and New York telcalls and nitels to
 Buffalo, 1/24/73 (IO).

- P -

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED RHA / [Signature]						SPECIAL AGENT IN CHARGE	
COPIES MADE:						DO NOT WRITE IN SPACES BELOW	
2 Bureau (44-50605)						44-50605-165 REC-71	
1 - USA, Buffalo						T-102	
2 - Buffalo (44-592)						5 JAN 29 1973	

EX-101

#32

OK

74452

-tions

SEARCHED
SERIALIZED
INDEXED
FILED

BU 44-592

LEADS

BUFFALO

AT BUFFALO, NEW YORK

(1) Will maintain close contact with AUSA [REDACTED] [REDACTED] WDNY, regarding this matter and upon receipt of request for investigation, will expeditiously conduct same, appropriately reporting results to Bureau.

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(2) Will complete diagrams of the second and third floors of Housing Building Z, Attica Correctional Facility (ACF), Attica, New York, and furnish same to AUSA [REDACTED]

ADMINISTRATIVE

All persons interviewed in this investigation were advised that this investigation was being conducted at the specific request of Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Office: Buffalo, New York

b6
b7C

Date: 1/26/73

Field Office File #: 44-592

Bureau File #: 44-50605

Title:

UNKNOWN SUBJECTS, Correctional Officers,
Attica Correctional Facility, Attica
(Wyoming County), New York;

[REDACTED]
Inmates of Attica - VICTIMS

Character:

CIVIL RIGHTS

Synopsis:

On 1/18/73, AUSA [REDACTED] WDNY,
Buffalo, New York, advised that investigation
he had requested on 1/12/73 should be held
~~in abeyance pending his contact with Attorney~~
[REDACTED] Current residence of former
Superintendent of Attica Correctional Facility
(ACF), Attica, New York, VINCENT R. MANCUSI
determined. Current residences of former
ACF inmates who will be subpoenaed to testify
at hearings before U.S. Magistrate EDMUND F.
MAXWELL, Buffalo, New York, scheduled to
commence 2/13/73 obtained. Photographs of
second and third floors Housing Building Z,
ACF, taken.

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- P -

Details:

On January 18, 1973, Assistant United
States Attorney (AUSA) [REDACTED] Western
District of New York, Buffalo, New York, was
contacted and advised that investigation he had
requested on January 12, 1973 should be held in
~~abeyance pending his contact in writing with Attorney~~
[REDACTED] Attica

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Correctional Facility (ACF), Attica, New York, in this matter. AUSA [] was advised that preparation of diagrams he had requested on January 12, 1973, had commenced on January 15, 1973, but that in order to prepare the desired diagrams a blueprint of the second floor of Housing Building Z (HBZ), ACF, Attica, New York, must be obtained. Mr. [] advised that he would include in his contact with [] a request for this blueprint.

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By communication dated January 19, 1973, the Alexandria Office of the Federal Bureau of Investigation advised that VINCENT R. MANCUSI, former Superintendent, ACF, currently maintains a residence at 6927 Conservation Drive, Springfield, Virginia.

On January 19, 1973, AUSA [] was provided with the above information.

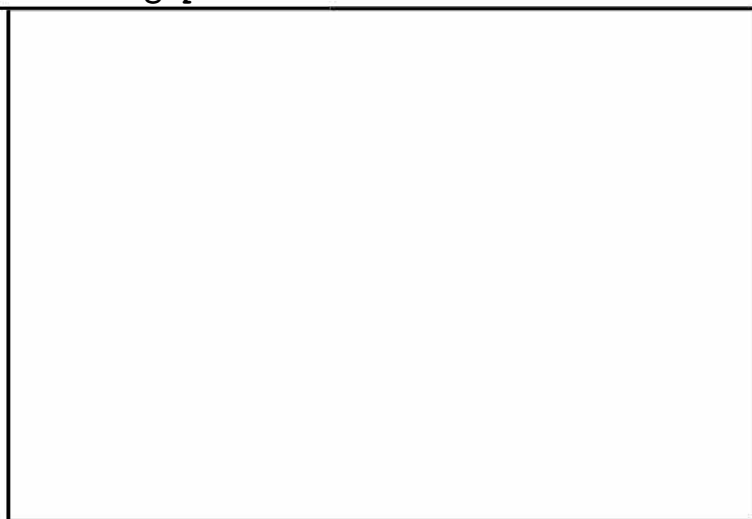
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On January 22, 1973, AUSA [] was contacted and advised that pending investigation should continue to be held in abeyance and that hearings before U. S. Magistrate EDMUND F. MAXWELL, Buffalo, New York, regarding the allegation of victim [] would commence on January 24, 1973.

On January 23, 1973, AUSA [] advised to continue to hold pending investigation in abeyance.

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On January 24, 1973 [] requested that immediate attempts be made to determine the current residences of the following persons:





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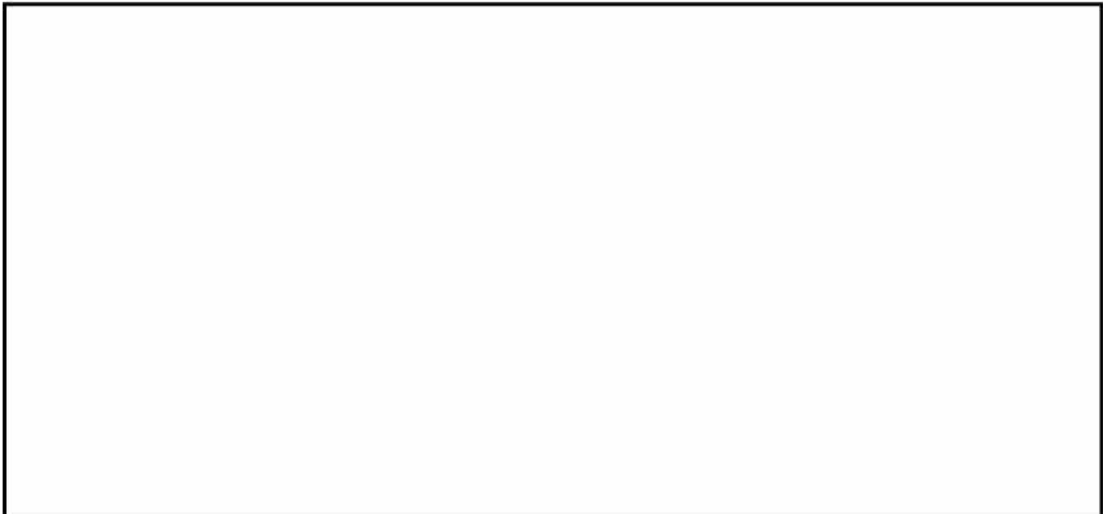
[redacted] explained that the above persons would be subpoenaed to testify before U.S. Magistrate MAXWELL when hearings commence on February 13, 1973 regarding allegations of victim [redacted] also requested that efforts be made to determine the custodian of medical records of ACF. [redacted] provided several pages of various ACF inmate files which he had obtained on subpoena, requesting that these pages be xeroxed and that he be provided with the copies as soon as possible.

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On January 24, 1973, [redacted] was provided with the copy of xeroxed pages as he had requested.

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On the same date, [redacted] ACF, advised that no one specific person is designated as the custodian of medical records regarding inmates stating that the Superintendent of the Facility is the real custodian of all records at ACF. [redacted] provided the following information regarding the above listed inmates:



[redacted]

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On January 24, 1973, the New York Office was requested to determine the current location of inmates [redacted]

On the same date, the Albany Office was requested to determine the current location of inmates [redacted]

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On January 24, 1973, SA [redacted] of the New York Office advised that inmate [redacted] is currently confined at Green Haven Correctional Facility under Inmate Number [redacted] and that inmate [redacted] to report to the New York State Parole Office, 314 West 40th Street, New York City, New York.

On the same date, SA [redacted] of the Albany Office advised that inmate [redacted] is still confined at Auburn Correctional Facility, Auburn, New York, under Inmate Number [redacted]

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SA [redacted] also advised that inmate [redacted] is currently confined at Clinton Correctional Facility, Dannemora, New York, under Inmate Number [redacted]

On January 24, 1973, the current telephone directory for Attica, New York, listed [redacted]

[redacted] New York [redacted]
[redacted] New York.

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On January 24, 1973, [redacted]
[redacted] New York, advised that [redacted]
reside as above.

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On January 24, 1973, AUSA [redacted] was provided with the above information and furnished contacting Agent necessary information regarding the blueprint of the second floor of HBZ, ACF. [redacted] stated that arrangements had now been completed at ACF for the taking of various photographs.

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 1/26/73

On January 24, 1973, SA [redacted] took 34 photographs of various areas on the second and third floors of Housing Building Z (HBZ), Attica Correctional Facility (ACF). A log regarding these photographs was maintained and below is a description of each photograph:

<u>Photograph Number</u>	<u>Description of Photograph</u>
1	Third Floor, West Gallery, view of Cell Number 17 from Gallery, cell door opened.
2	Third Floor, West Gallery, view of Cell Number 17 from Gallery, cell door closed.
3	Third Floor, West Gallery, view of Gallery from end of Gallery looking toward vestibule.
4	Third Floor, West Gallery, view of Gallery from outside cell Number 10 looking toward vestibule.
5	Same view as in Photograph Number 4 except taken from middle of Gallery instead of next to front of Cell 10.
6	Third Floor, East Gallery, view of Gallery from end of Gallery looking toward day room.
7	Third Floor, East Gallery, view of Gallery from outside Cell Number 4 looking toward day room.

Interviewed on 1/24/73 at Attica, New York File # Buffalo 44-592
by SA [redacted]
JLB:Imk Date dictated 1/26/73

- 5 -

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<u>Photograph Number</u>	<u>Description of Photograph</u>
8	Third Floor, East Gallery, view of Gallery from door to day room looking toward yard area.
9	Third Floor, South Gallery, view of Gallery from end of Gallery looking toward day room.
10	Third Floor, South Gallery, view of Gallery and day room from just outside Cell Number 1.
11	Third Floor, North Gallery, view of Gallery from end of Gallery looking toward vestibule.
12	Third Floor, North Gallery, view of Gallery and vestibule from just outside Cell Number 1.
13	Third Floor, North Gallery, from Gallery door looking toward vestibule.
14	Third Floor, North Gallery, from Gallery door looking toward yard area.
15	Third Floor, view of kitchen area taken from southeast corner of kitchen.
16	Third Floor, view of kitchen area taken from southwest corner of kitchen.
17	Third Floor, view of kitchen area taken from northeast corner of kitchen.

<u>Photograph Number</u>	<u>Description of Photograph</u>
18	Third Floor, view of day room from kitchen door looking toward vestibule.
19	Third Floor, view of day room from southeast corner of day room.
20	Third Floor, view of day room and South Gallery taken from east wall of day room.
21	Third Floor, view of day room taken from southwest corner of day room.
22	Third Floor, taken from day room towards vestibule and stairwell.
23	Third Floor, view of vestibule taken from door to West Gallery.
24	Third Floor, view of control room taken from door to West Gallery.
25	Third Floor, view of control room taken from vestibule area.
26	Third Floor, view of stairwell from vestibule.
27	View of stairwell from top step at Third Floor.
28	View of stairwell toward Third Floor door taken midway between Second and Third Floors.

BU 44-592

-4-

<u>Photograph Number</u>	<u>Description of Photograph</u>
29	Same as Photograph Number 28 except toward door to Second Floor.
30	View of entrance to West Gallery, Second Floor from Second Floor door.
31	Second Floor, West Gallery, view of Gallery from end of Gallery looking toward vestibule.
32	Second Floor, West Gallery, view of Cell Number 6 from Gallery.
33	Second Floor, West Gallery, view of Gallery from just outside Cell Number 6 looking toward vestibule.
34	Second Floor, West Gallery, view of Gallery from Gallery door looking north.

BU 44-592

On January 26, 1973, AUSA [redacted] was contacted and advised that pending investigation regarding the interview of various ACF employees should be continued to be held in abeyance.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 2/6/73	INVESTIGATIVE PERIOD 1/29-2/6/73
TITLE OF CASE UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York		REPORT MADE BY [Redacted]	TYPED BY :klp
[Redacted]		CHARACTER OF CASE CR	
Inmates of Attica - VICTIMS			

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REFERENCES: Report of SA [Redacted] 1/26/73, at Buffalo.
Buffalo telcall and teletype to Albany, 1/31/73, IO.
Albany telcall to Buffalo, 1/31/73.

- P -

LEADSALBANY

(Leads continued Cover Page B)

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
						PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
						PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

*RMA/PLM*SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 2 - Bureau (44-50605)
- 1 - USA, Buffalo
- 2 - Albany (44-737)
- 2 - Buffalo (44-592)

44-50605-166 EX-100

FEB 8 1973

REC-28

Dissemination Record of Attached Report

Agency	CRD			
Request Recd.				
Date Fwd.	2/10/73			
How Fwd.	070 F			
By	1905/14/2/10/73			

COVER PAGE

EX-100

BU 44-592

LEADS (CONT'D)

ALBANY (CONT'D)

AT DANNEMORA, NEW YORK

Will furnish Buffalo with FD-302, interview of inmate [] Clinton Correctional Facility.

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BUFFALO

AT BUFFALO, NEW YORK

1. Will maintain close contact with AUSA [] [] WDNY, regarding this matter, and upon receipt of request for investigation, will expeditiously conduct same and appropriately report results to Bureau.

2. Will complete diagrams of the second and third floors of Housing Building Z, Attica Correctional Facility, Attica, New York and furnish same to AUSA []

ADMINISTRATIVE

All persons interviewed in this investigation were advised that this investigation was being conducted at the specific request of Assistant Attorney General DAVID L. NORMAN, Civil Rights Division, U. S. Department of Justice.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Office: Buffalo, New York

b6
b7C

Date: 2/6/73

Field Office File #: 44-592

Bureau File #: 44-50605

Title:

UNKNOWN SUBJECTS; Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York.

~~XXXXXX~~~~XXXXXX~~

Inmates of Attica - VICTIMS

Character: CIVIL RIGHTS

Synopsis:

Former Attica Correctional Facility (ACF) inmate, [REDACTED] determined to have been [REDACTED] New York State Parole Office, 314 West 40th Street, New York City, New York. [REDACTED] Clinton Correctional Facility, Dannemora, New York in letter to U. S. Magistrate EDMUND F. MAXWELL, WDNY, Buffalo, New York, advised he had additional information regarding his recent testimony surrounding allegation of victim [REDACTED] and requested he be recontacted. [REDACTED] interviewed by Bureau Agent and results furnished AUSA [REDACTED] WDNY, Buffalo, New York and U. S. Magistrate MAXWELL. AUSA [REDACTED] provided with photographs taken 1/24/73 of second and third floors, Housing Building Z (HBZ), ACF. Two ACF officers who worked on the third floor, HBZ, 3:00 p.m. to 11:00 p.m., 2/17/72 observed victim [REDACTED] and noticed no marks on him during this period. One additional officer recalls seeing other officers use force on a Puerto Rican inmate to return him to his cell. ACF nurse checked [REDACTED] at approximately 12:30 p.m., 2/17/72 and noted an abrasion under [REDACTED] left eye. One additional ACF officer refused to be interviewed by Bureau Agents.

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- P -

Details:

On January 29, 1973, Assistant United States Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York was contacted and advised that hearings regarding victim [redacted] were held before U. S. Magistrate EDMUND F. MAXWELL, WDNY, Buffalo, New York on January 24 and January 26, 1973 and will again commence on January 31, 1973. At this time, [redacted] requested immediate efforts be made to determine the current location of former Attica Correctional Facility (ACF), Attica, New York inmate [redacted]

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On January 29, 1973, [redacted] ACF, Attica, New York advised that [redacted] was transferred from ACF to Green Haven Correctional Facility, Stormville, New York on May 1, 1972. [redacted] to report to the New York State Parole Office, 314 West 40th Street, New York City, New York.

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On January 29, 1973, [redacted] was advised of the above regarding [redacted]

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On January 30, 1973, [redacted] was contacted and advised to continue to hold pending investigation in abeyance.

On January 31, 1973, [redacted] advised that [redacted] an inmate at Clinton Correctional Facility, Dannemora, New York had recently testified before U. S. Magistrate MAXWELL regarding the allegation of victim [redacted] in this matter. [redacted] continued that on this date, U. S. Magistrate MAXWELL had received a letter from [redacted] in which he stated he had additional information to furnish and requested that he be re-contacted. [redacted] then requested that immediate steps be taken to reinterview [redacted] so that a determination could be made as to whether or not it would be necessary to subpoena [redacted] back to Buffalo in order to hear this testimony.

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On January 31, 1973, SA [redacted] of the Albany, New York Division of the Federal Bureau of Investigation advised that on that date he had interviewed inmate [redacted] Clinton Correctional Facility, Dannemora, New York and that [redacted] had furnished the following information:

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During his original testimony, [] was unsure as to his cell number in Company 1 of A Block at ACF. He now not only recalls his cell number but the names of every inmate in cells two through nine except cell number six. During testimony when [] was asked if all inmates in A Block were allowed to go to the yard area together he had stated that occasionally they were all given the opportunity to go and on other times only half at a time were given the opportunity. [] now recalls that on all occasions, all inmates were given the opportunity to go to the yard area together. [] also, during his testimony, could not recall the name of the Sergeant in regard to his transfer from A Block to Housing Building Z (HBZ) on February 17, 1972 at ACF but now recalls this Sergeant's name was [] and that this Sergeant is a white, male, approximately 6'3", 230-240 pounds, and normally worked in Company 1 of A Block or in the yard area. [] also stated that this officer had nothing to do with the incident in question. [] further recalled that it was rumored on his gallery that the officer who had struck [] was supposedly transferred soon after to Auburn Correctional Facility, Auburn, New York.

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On January 31, 1973, AUSA [] was advised of the results of the above interview and stated that he did not feel the above was important enough to recall inmate [] requesting that the above information be furnished by contacting Agent to U. S. Magistrate MAXWELL, which was done on January 31, 1973.

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On February 1 and February 2, 1973, [] was contacted and advised that hearings regarding victim [] had been held on these dates and had ended on February 2, 1973. [] requested that pending investigation regarding the interview of five ACF employees be conducted on February 5, 1973.

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On February 2, 1973, ERNEST L. MONTANYE, Superintendent, ACF, was contacted and was advised of the identities of the five ACF employees contacting Agent wished to interview on February 5, 1973. Mr. MONTANYE stated that he would make these employees available for interview and commented that Sergeant [] was now located at the Elmira Correctional Facility, Elmira, New York.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/6/73

-1-

[redacted] was contacted at [redacted] New York and was advised of the identities of the interviewing Agents as well as the nature of the matter under investigation.

[redacted] stated that he has been a correctional officer at Attica Correctional Facility (ACF), Attica, New York [redacted] and that he recalled on February 17, 1972, [redacted] of the third floor, Housing Building Z (HBZ) working from 3:00 p.m. to 11:00 p.m. [redacted] pointed out that he recalls this not only because he keeps a record of where he works in the institution, the hours he works, and the people he is assigned with, but also because upon arriving at work he was advised that inmate [redacted] who is normally [redacted] of the west gallery on the third floor was confined on the second floor due to some trouble officers had with [redacted] earlier on that day. [redacted] could not recall who advised him of this, nor could he recall any details he might have been provided regarding the above trouble.

[redacted] was not certain as to when [redacted] was returned to the third floor but assumes it happened prior to 5:00 p.m. when the institution closes, as before this time there would be extra officers available to aid in transferring the inmate. [redacted] could not recall which officers brought [redacted] from the second to the third floor but knew that he was not involved in this transfer.

[redacted] could not recall seeing any marks or wounds on [redacted] at this time nor could he recall any prison nurse or doctor seeing [redacted] while he was on duty. [redacted] pointed out that it is standard procedure that any time force is used on an inmate he is immediately thereafter seen by a nurse or doctor and assumes that after the above trouble, this was accomplished. [redacted] advised that during his tour of duty, he could recall having had no conversation with inmate [redacted] and could furnish no other pertinent information.

Interviewed on 2/5/73 at Attica, New York File Buffalo 44-592

by SAs [redacted] JLB:klp Date dictated 2/6/73

-4-

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BU 44-592

[redacted] stated that he did not desire to furnish a signed statement at this time; however, he would be willing to testify to his above remarks.

The following descriptive and background data was obtained through observation and interview:

Name	[redacted]
Date of Birth	[redacted] New York
Height	5'10"
Weight	220
Hair	Black-gray
Eyes	Brown
Residence	[redacted] New York
Physical Characteristics	No obvious physical handicaps that might impair the ability of [redacted] to observe and remember were noted during interview.
Sex	Male
Race	White

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FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 2/6/73

[redacted] Attica Correctional Facility (ACF) was contacted at his place of employment and was advised of the identities of the interviewing Agents as well as the nature of the matter under investigation.

[redacted] stated that on February 17, 1972, he was employed at the prison between 3:00 p.m. and 11:00 p.m. and was assigned to the third floor of Housing Building Z (HBZ). [redacted] stated that normally there are two officers assigned to this floor during the above hours and that he thought on this date Sergeant [redacted] was in charge of the floor and working with him.

[redacted] stated that as far as he could recall, inmate [redacted] who is normally confined in [redacted] of the west gallery of the third floor was so confined when he arrived at work.

When asked if during his tour of duty he observed any marks or wounds on [redacted] pointed out that every half hour he passes by the front of every inmate's cell on the third floor and that during his tour noticed no wounds on inmate [redacted] stated as far as he could recall, he had no conversation with this inmate on this day and did not remember any nurse or doctor seeing the inmate.

[redacted] stated that he recalled he had been informed by someone that [redacted] earlier on this day had been confined on the second floor of HBZ and was then returned to his normal cell on the third floor; however, [redacted] was unable to recall any details regarding reasons for [redacted] confinement on the second floor.

[redacted] stated that he did not desire to furnish a signed statement regarding his remarks at this time, but that he would be willing to testify to them.

The following descriptive and background data was obtained through observation and interview:

Name [redacted]

Interviewed on 2/5/73 at Attica, New York File # Buffalo 44-592

by SAs [redacted]
[redacted] UB:klp Date dictated 2/6/73

-6-

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BU 44-592

2

Race
Sex
Date of Birth

White
Male

[REDACTED]

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b7C

Height
Weight
Hair
Eyes
Residence

New York

6'6"

240

Brown

Blue

[REDACTED]

[REDACTED] York

Employment

Correctional Officer
New York State Department
of Corrections (past 15 years)
No obvious physical handicaps
that may impair the ability of
[REDACTED] to observe and remember
were noted during interview

Physical
Characteristics

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 2/5/73

Sergeant [redacted]

[redacted] New York, an employee at the Elmira Correctional Facility, Elmira, New York, was interviewed at the Correctional Facility.

[redacted] advised that from [redacted]

[redacted] Sergeant at Attica Prison, Attica, New York. He worked throughout Attica Prison, including Housing Block Z (HBZ) and since his duty was on a rotation basis, he cannot specifically recall where he worked on any particular day. According to [redacted] about mid February, 1972, he heard from some unrecalled officers at Attica Prison that there had been a problem at Attica Prison involving an unknown inmate, whereby unknown officers found it necessary to drag the inmate back to his cell. [redacted] advised that exactly what transpired between the unknown inmate and officers is not recalled; and if he had been made aware of it at the time, it is not now recalled.

[redacted] advised that since he could not recall specifics, he did not desire to furnish a signed statement.

Subsequently on February 5, 1973, [redacted] advised that after thinking about the above matter, he now recalls the problem mentioned above involved an unknown Puerto Rican being forcibly escorted to his cell via the stairway in the HBZ building. [redacted] advised he now recalls the Puerto Rican resisted being returned to his cell for reasons unknown and force was used to return him. [redacted] advised he does not recall seeing any unnecessary force being used, and he recalls that a Lieutenant [redacted] was part of the group returning the inmate to his cell.

[redacted] again advised he did not desire to furnish a signed statement since he cannot be specific about exactly what had happened, however, he would be willing to testify to what he does recall.

Interviewed on 2/5/73 at Elmira, New York File # Buffalo 44-592

by SA RICHARD W. RUDY:pas Date dictated 2/5/73

-8-

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BU 44-592

-2-

The following description of [redacted] was obtained through observation and interview:

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Race	White
Sex	Male
Date of birth	[redacted]
Place of birth	[redacted] New York
Height	5' 11½"
Weight	158 pounds
Hair	Brown
Eyes	Blue
Build	Slender
Complexion	Fair
Scars and marks	3" appendectomy scar right abdomen
Education	High School
Social Security Account Number	[redacted]
Wife	
Son	
Daughter	

Physical
Characteristics

All at home
No obvious physical handi-
caps that might impair the
ability of [redacted] to observe
and remember were noted
during interview.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/6/73

-1-

[redacted] Attica Correctional Facility, (ACF), was contacted and was provided with the identities of the interviewing Agents as well as the nature of the matter under investigation.

[redacted] stated that he recalled on February 17, 1972 at approximately 12:30 p.m. he was called to Housing Building Z (HBZ) to look at inmate [redacted]. [redacted] pointed out that he recalled this because upon his return to the hospital on that date, he typed a memorandum regarding what he had seen for his own information. [redacted] continued that he thought upon arriving at HBZ he took the elevator to either the second or third floor and after leaving the elevator and entering the day room he observed inmate [redacted] standing between two correctional officers with his arms to his side. [redacted] recalled the inmate was standing calmly and relaxed and that each of the correctional officers were holding "twisters" around [redacted] wrist. [redacted] pointed out that a "twister" is a piece of link chain which can be placed around a person's wrist, fastened together, and twisted in such a manner as to cause pain and are used to bring resisting inmates under control.

At this time, [redacted] thought that the inmate was naked and after checking him noted that the only mark was an abrasion approximately two inches in length under his left eye.

[redacted] stated that he asked the inmate if he was hurt anywhere else and that as far as he could recall the inmate did not respond to his question but remained silent.

[redacted] stated that approximately five to ten minutes later he, in the company of a correctional officer, whose name he could not recall, saw inmate [redacted] in his cell. [redacted] could not recall exactly what he did or where he went in the interim of the five to ten minutes but thought he probably returned via the elevator to the first floor, waited and then returned to the appropriate floor where [redacted] was in his cell. [redacted] stated that when he was

Interviewed on 2/5/73 at Attica, New York File # Buffalo 44-592

by SAs [redacted]
[redacted] JLB:lp Date dictated 2/6/73

-10-

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standing in front of [] cell he asked [] if he was hurt anywhere and [] replied with words to the effect, "Go away and leave me alone." [] stated he then returned to the hospital noting that it appeared [] was not hurt in any substantial manner. [] commented that he thought [] had been seen by [] of the institution later in that day; however, he pointed out that [] records were not presently at the institution and therefore he could not refer to them.

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The following descriptive and background data was obtained through observation and interview:

Name	[]
Race	White
Sex	Male
Date of Birth	[] New York
Height	5'7"
Weight	155
Hair	Brown
Eyes	Green
Residence	[] New York
Employment	[] Attica Correctional Facility (past 15 years)
Physical Characteristics	Wears glasses (for reading only) (Uncorrected vision 20/30-20/35); No other obvious physical handicaps that might impair the ability of [] to observe and remember were observed during interview.

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[] added that he could not recall the names of any of the officers he saw with [] and that when he observed [] in the day room as above it was from approximately ten to fifteen feet. [] advised that he did not desire to furnish a signed statement at this time nor a copy of the memorandum he had written. [] stated that he would be willing to testify regarding his above remarks.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/6/73

-1-

[redacted] Attica Correctional Facility (ACF) was contacted at his place of employment and was advised of the identities of the interviewing Agents as well as the nature of the matter under investigation.

[redacted] then stated that he had nothing to say to contacting Agents.

The following descriptive and background data was obtained through observation and interview:

Name	[redacted]
Sex	Male
Race	White
Date of Birth	[redacted] New York
Height	5'9"
Weight	205
Hair	Red [redacted]
Eyes	Blue [redacted]
Residence	[redacted] New York

Interviewed on 2/5/73 at Attica, New York File # Buffalo 64-592

by SAs [redacted] LB:klp Date dictated 2/6/73

-12-

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BU 44-592

On February 5, 1973, AUSA [] was provided with photographs taken January 24, 1973 of the second and third floors, Housing Building Z, ACF.

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On February 6, 1973, AUSA [] was recontacted and advised that there was no further investigation in this matter that he would request at this time. Mr. [] pointed out that on February 8, 1973 he planned to prepare for hearings to commence February 13, 1973 regarding allegations of victim [] in this matter, and he anticipated that after his review he would be requesting additional investigation.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BU FALO	OFFICE OF ORIGIN BU F FAL-O	DATE 2/15/73	INVESTIGATIVE PERIOD 1/31/73-2/15/73
TITLE OF CASE UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York;		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY :sjg
		CHARACTER OF CASE CR	

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Inmates of Attica -
VICTIMS

REFERENCES: Report of SA dated 2/6/73
at Buffalo.
Albany airtel to Buffalo, dated 2/6/73 (IO).

-P-

EXP. PROC.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
C ON VI.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS, <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED *RHA* *PLM* SPECIAL AGENT
IN CHARGE

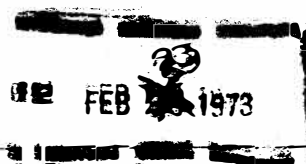
COPIES MADE:

- (2) - Bureau (44-50605)
- 1 - USA, Buffalo
- 2 - Buffalo (44-592)

DO NOT WRITE IN SPACES BELOW

44-50605-167

REC 27



Dissemination Record of Attached Report

Agency	Request Recd.	Date Fwd.	How Fwd.	By
<i>ICC CRA</i>	<i>6-26-73</i>	<i>6-26-73</i>	<i>6-26-73</i>	<i>6-26-73</i>

-A-

COVER PAGE

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will maintain close contact with Assistant United States Attorney [redacted] Western District of New York, regarding this matter and upon receipt of request for investigation, will expeditiously conduct same and appropriately report results to Bureau.

b6
b7c

ADMINISTRATIVE

All persons interviewed in this investigation were advised that this investigation was being conducted at the specific request of Assistant Attorney General J. STANLEY POTTINGER, Civil Rights Division, United States Department of Justice.

It is noted that the investigative period of this report overlaps that of the last and is due to the fact that investigation conducted by an auxiliary office was not received in time for inclusion in previous report.

4332
JUN 14 1973

98
XEROXED ORIGINAL-RETAIN

-B*-
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1 - USA, Buffalo

Report of:

Office:

Buffalo, New York

b6

b7C

Date:

2/15/73

Field Office File #:

44-592

Bureau File #: 44-50605

Title:

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York;~~Character:~~

b6

b7C

~~Synopsis:~~

Inmates of Attica - VICTIMS

Character:

CIVIL RIGHTS

Synopsis:

Interview of former Attica Correctional Facility (ACF) inmate regarding further information recalled subsequent to his testimony before United States Magistrate EDMUND F. MAXWELL, Buffalo set forth. AUSA WDNY, Buffalo furnished with completed diagrams of second and third floors, Housing Building Z, ACF. Current locations of two former ACF inmates and three correctional officers, ACF determined. AUSA furnished copies of affidavits regarding victims which are set forth.

b6

b7C

-P-

Details:

FEDERAL BUREAU OF INVESTIGATION

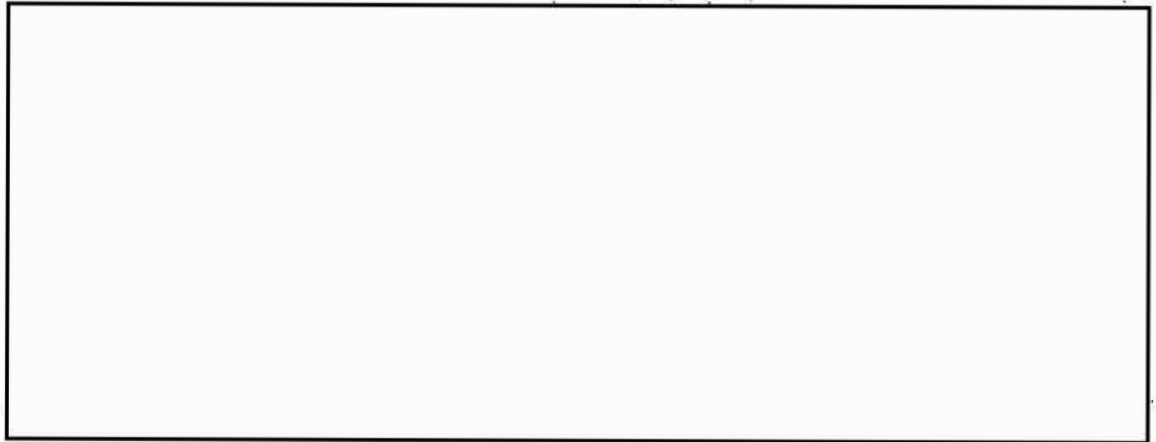
Date of transcription 2/6/73

1

On January 31, 1973, [redacted]

[redacted] was located at Clinton Correctional Facility, Dannemora, New York, and interviewed. He was advised the interview concerned his letter to United States Magistrate EDMUND F. MAXWELL. [redacted] declined to give a signed statement but stated he [redacted] willing to testify if necessary concerning the matter. [redacted] stated he believed it might be necessary that he be called back concerning his previous testimony because he had had time to think about various questions that had been asked him and felt his answers needed the following clarifications:

[redacted] stated he had been asked if he was in cell [redacted] of A Block, 1 Company at Attica; and he had replied he was not sure which cell he was in. He stated he now recalls he was definitely in [redacted]. The other cells were occupied as follows:



[redacted] stated United States Magistrate MAXWELL asked him if all the inmates went into the yard at once and he had replied that they sometimes went all at once and sometimes half at a time. Upon reflection he recalled that was when he was in another gallery. At the time in question, he is now sure, all the inmates did go out at one time if the inmate wanted to go out.

In his testimony, [redacted] said, he mentioned a Sergeant in regard to a time when transiers were made from A Block.

Interviewed on 1/31/73 at Dannemora, N.Y.File # Buffalo 44-592by SA [redacted] 2/6/73
CSV/ad

2
i Company to HBX (Special Housing), at Attica on February 17, 1972. At the time of his testimony he could not recall the Sergeant's name but now remembered his name is Sergeant [redacted]

[redacted] He recalled that Sergeant [redacted] normally worked at I Company, or in the yard. He described [redacted] as about 6'3", 230-240 pounds, with a big stomach, white, male. He noted [redacted] walked very erect "like an English officer".

[redacted] stated he had no other information concerning the matter except he recalled it had been rumored in the gallery that the Correction Officer that struck [redacted] had been transferred to Auburn Prison. [redacted] stated this was only a rumor and he had no direct knowledge whether it was true or not.

During the interview no physical or mental handicaps were observed that would prevent [redacted] from seeing, hearing, or remembering the incidents referred to above.

CSV:ad

The following investigation was conducted by
SA [redacted] at Clinton Correctional Facility,
Dannemora, N.Y.:
On January 31, 1973 [redacted]

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[redacted] furnished the following information concerning
[redacted]

Name:
Alias:
Inmate Number:

Date of birth:
Place of birth:

Race: Negro
Sex: Male
Height: 6'2"
Weight: 210 lbs.
Hair: Black
Eyes: Black
Scars and marks:

Drug use:
Residence at
arrest:

Employments: None known

Social Security No.: [redacted]

Education: 8th grade

Intelligence
Quotient (IQ) 85

Crime for which
committed:

Heroin

[redacted] (off and on)

MONROE

JOHN

Eligible for
parole:
Health:

On February 7, 1973, Assistant United States Attorney [redacted] Western District of New York, Buffalo, New York requested that immediate steps be taken to learn the current location of former Attica Correctional Facility (ACF) inmate [redacted] stated

that [redacted] Erie [redacted] adding that he wished to subpoena [redacted] to testify before United States Magistrate EDMUND F. MAXWELL, Buffalo, New York on February 13, 1973 in regard to allegations of victim, [redacted] in this matter.

On February 7, 1973, Deputy Sheriff [redacted] Erie County Jail, Buffalo, New York, advised that [redacted]

[redacted] New York, and was [redacted] at which time he listed the above address as his destination.

On February 7, 1973, Assistant United States Attorney [redacted] was advised of the above.

On February 8, 1973, [redacted] was contacted and requested no further investigation.

On February 9, 1973, [redacted] requested that the Xeroxing of various ACF inmate files, which he furnished, be completed and returned to him. On February 9, 1973, above Xeroxing was completed and Assistant United States Attorney was furnished with the results. In addition, on this date [redacted] was furnished with the completed diagrams of the second and third floors of Housing Building Z, ACF.

On February 12, 1973, [redacted] requested that the current location of former ACF inmate, [redacted] be determined adding that allegedly [redacted] is currently under the parole supervision of New York State authorities in the Buffalo area.

BU 44-592

On February 12, 1973, [redacted] New York State Parole Office, Donovan State Office Building, Buffalo, New York, advised after checking his records that

[redacted] New York and is under New York State Parole supervision.

On February 12, 1973, [redacted] was advised of the above.

On February 13, 1973 and February 14, 1973, [redacted] was contacted and requested no further investigation pointing out that hearings regarding allegations of victim, [redacted] scheduled to commence February 13, 1973 before United States Magistrate EDMUND F. MAXWELL had been postponed until February 14, 1973.

On February 15, 1973, [redacted] requested that the full names and current locations of the following ACF correctional officers be determined:



On February 15, 1973, Superintendent ERNEST L. MONTANYE, ACF, Attica, New York, was contacted and advised that correctional officers [redacted] are currently employed at the Elmira Correctional Facility, Elmira, New York. Mr. MONTANYE further stated that correctional officer [redacted]

[redacted] New York, however, is currently located at the Roswell Park Hospital, Buffalo, New York and is in very serious condition.

On February 15, 1973, [redacted] was provided with the above information. [redacted] then provided one copy each of affidavits of victims [redacted] [redacted] advised that he would request no further investigation at this time, adding, however that he would anticipate requesting investigative assistance prior

BU 44-592

to hearings regarding the above two victims' allegations.
[redacted] pointed out that the current hearings regarding
victim [redacted] would probably not terminate until
February 23, 1973 and that he could not provide anymore
specific information as to when he might request further
investigation.

Copies of the above two affidavits as provided
by [redacted] follow.

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-----V
INMATES OF ATTICA Etc.,

Plaintiffs,

vs.

AFFIDAVIT

Civ. 1971-410

NELSON ROCKEFELLER et al.,

Defendants.
-----V

[redacted] being first duly sworn, deposes and
says:

1. That he is an inmate of Attica Prison, until recently housed in Housing Block "Z" and then mysteriously and without explanation removed by prison authorities to the Erie County Penitentiary, where he languishes to this day.

2. That on the afternoon of February 7, 1972, a Prison Guard came to his cell in H3Z and told him he was going to Court; and that when he asked where he was supposed to go and why, the guard left and soon returned with several other guards including a sergeant.

3. That the first guard's name he believes is [redacted] and that he does not know the names of the sergeant and the other officers but can identify at least some of them by sight.

4. That the several guards and the sergeant entered his cell without a word and grabbed him, twisting his arm behind his back and holding him fast; and that the sergeant then struck sharply several times on the back of the neck, and then removed him from his cell and took him to the Erie County Penitentiary.

5. That he suffered in this incident large and severe bruises on his neck and has since been plagued by pains in his head, neck and back.

FURTHER AFFIANT SAYETH NOT.

Subscribed and sworn to
before me this 22nd day
of February, 1972

Notary Public

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
UNITED STATE OF AMERICA

PLAINTIFF

VS

DEFENDANTS

CRIMINAL
CONTEMPT
CITATIONS

CIV. 1971 - 410

PAGE 1

I, [REDACTED] BEING duly SWORN,
DEPOSES AND SAYS:

1. ON April 3, 1972 AT ABOUT 1:30 P.M.,
I WAS CALLED OUT OF MY CELL FOR A LAWYER'S
INTERVIEW.

2. SINCE I HAVE AN ASTHMA CONDITION, I
AM AUTHORIZED TO KEEP WITH ME AT ALL
TIMES MEDICINE [Euprel]. While being subjected
TO THE COMPULSORY SEARCH, ONE SERGEANT [REDACTED]
DEMANDED THAT I LEAVE MY MEDICINE ON
THE FLOOR.

3. THEREFORE I CITED THE MEDICAL AUTHORITY
I HAVE TO POSSESS AT ALL TIMES SAID MEDICINE.
HE, SERGEANT [REDACTED] PUNCHED ME IN MY
FACE, KNOCKING ME TO THE FLOOR WHILE
OFFICER [REDACTED] AND THE FIVE OTHERS FORCIBLY
GRABBED ME AND BRUTALLY DRAGGED ME

7. About half an hour later, I requested medical attention as I had contusions on my arms, shoulders, stomach and chest and heavy imprints on my wrists where the manacles had pressed.

6. Shortly thereafter, I was savagely dragged to my cell by the above defendants who continue to press the manacles into my wrists, to punch, pummel, kick and strike me.

5. At that time, the Brothers from all the wings called out to me, urgently wanting to know what was happening. I related to them that on my back with manacles on my wrists, while the other officers continued to beat and kick me, that I was being ruthlessly beaten.

4. Immediately thereafter, the Sergeant and I entered the open area and proceeded to kick me on my shoulders, in my chest and stomach, clapping the manacles on my wrists. The other officers joined in the one-sided melee, battering and beating me.

into the open area.

8. NURSE [] APPEARED, AT MY CELL, ALONG WITH SERGEANT [] I STATED THE MEDICAL AUTHORIZATION TO HAVE MY MEDICINE AT ALL TIMES, WHICH NURSE [] CONFIRMED.

9. I WENT ON TO RE-LATE THE ATROCIOUS BEATING TO WHICH I HAD BEEN SUBJECTED, APPRISING HIM OF MY ASTHMATIC CONDITION AND REQUESTING AN X-RAY AND SWIFT MEDICAL ATTENTION.

10. NURSE [] MERELY TOOK MY NAME AND NUMBER, GIVING ME NO EXAMINATIONS, MEDICINE, OR ANYTHING EXCEPT HIS WORD THAT [] WOULD SEE ME THE FOLLOWING MORNING. IN EFFECT, MY WOUNDS WENT UNEXAMINED, AND UN ATTENDED.

11. PAROLE OFFICER [] DURING THIS TIME CAME ON THE GALLERY. FOR AUTHENTICITY FOR WHAT I HAVE THUS FAR ALLEGED, I STOPPED HIM, ASKED HIS NAME, SHOWED HIM THE BRUISES AND IMPRINTS ON ME, TELLING TO WITNESS THE INCONTROVERTIBLE FACTS. I SHALL SUBPOENA THIS MAN FOR SUBSTANTIATION.

12. WHEREFORE, I RESPECTFULLY PRAY THIS HONORABLE COURT SET A DATE TO RULE ON THE DEFENDANT'S CRIMINAL CONTEMPT IN VIOLATION OF THE SECOND CIRCUIT COURT'S INJUNCTION ORDER CIV. 1971-410

--

Swore To before me
the 24th day of April 1972
Edward L. Chasin
Notary - Comm expires
March 31, 1973

FBI


Date: 3/2/73

4122

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;Inmates of Attica -
VICTIMS
CR
(OO: BUFFALO)Re report of SA  dated 2/15/73
at Buffalo; Buffalo teletype to Miami dated 2/20/73 (IO);
Miami teletype to Buffalo dated 2/21/73 (IO); Buffalo
teletype to Tampa dated 2/22/73 (IO) and Tampa teletype to
Buffalo dated 2/23/73 (IO).Enclosed for the Bureau are the original and
three (3) copies of a letterhead memorandum (LHM) regarding
captioned matter.One copy of this LHM has been furnished to the
USA, Buffalo, New York.2 - Bureau (Encs 4) (AM)
2 - BuffaloJLB:lmk
(4)

REC-54

100 CRW
100 CRD
3/6/73
0-406
JMF/ha

44-50605-168

7 MAR 5 1973

54 MAR 10 1973

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

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b7Cb6
b7C

ab

BIA

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will maintain close contact with AUSA [REDACTED]
[REDACTED] WDNV, regarding this matter and upon receipt of
request of investigation, will expeditiously conduct same
and appropriately report results to Bureau.

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

March 2, 1973

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Warren County),
New York; [redacted]

b6
b7C

[redacted]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

On February 16, 1973, Assistant United States
Attorney (AUSA) [redacted] Western District of New
York (WDNY), Buffalo, New York, was contacted and advised
that hearings before United States Magistrate EDMUND F.
MAXWELL, Buffalo, regarding allegations of victim [redacted]
[redacted] in this matter had been recessed on February 16,
1973 and were not scheduled to reconvene until February 21,
1973. At this time [redacted] had no specific request
for any investigation.

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On February 20, 1973, [redacted] was recontacted
and requested that immediate steps be taken to verify the
current residence of former Attica Correctional Facility
(ACE) Attica New York Correctional Officer [redacted]
[redacted] stated that he had attempted to have,
through the United States Marshal, Buffalo, [redacted]
served with a subpoena and that the Marshal's Office had
learned [redacted] was currently a member of the Miami,
Florida Police Department.

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On February 21, 1973, the Miami Division of the
Federal Bureau of Investigation advised that there was no
record of a [redacted] at the Miami Police Department,
Dade County Corrections Bureau, Dade County Personnel,
Miami Beach Police Department, Miami Beach Personnel, Florida
Power and Light Company or the Greater Miami Credit Bureau.

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b7C

On February 22, 1973, [redacted] was recontacted
and was advised of the results of the above investigation.
At this time [redacted] requested that continued efforts be

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44-50605-168

ENCLOSURE

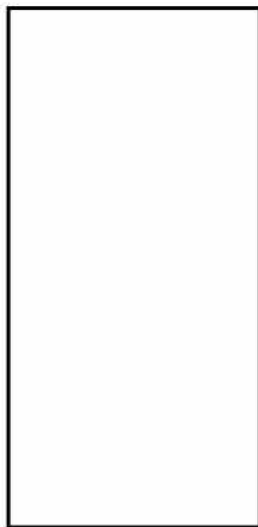
UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York; [REDACTED]

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b7C

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

made to verify [REDACTED] current residence and that
efforts be made to learn the full names and locations of the
following ACF personnel:

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On February 22, 1973, ERNEST L. MONTANYE, Super-
intendent, ACF, advised that Correctional Officer [REDACTED]
[REDACTED] was employed at ACF [REDACTED]

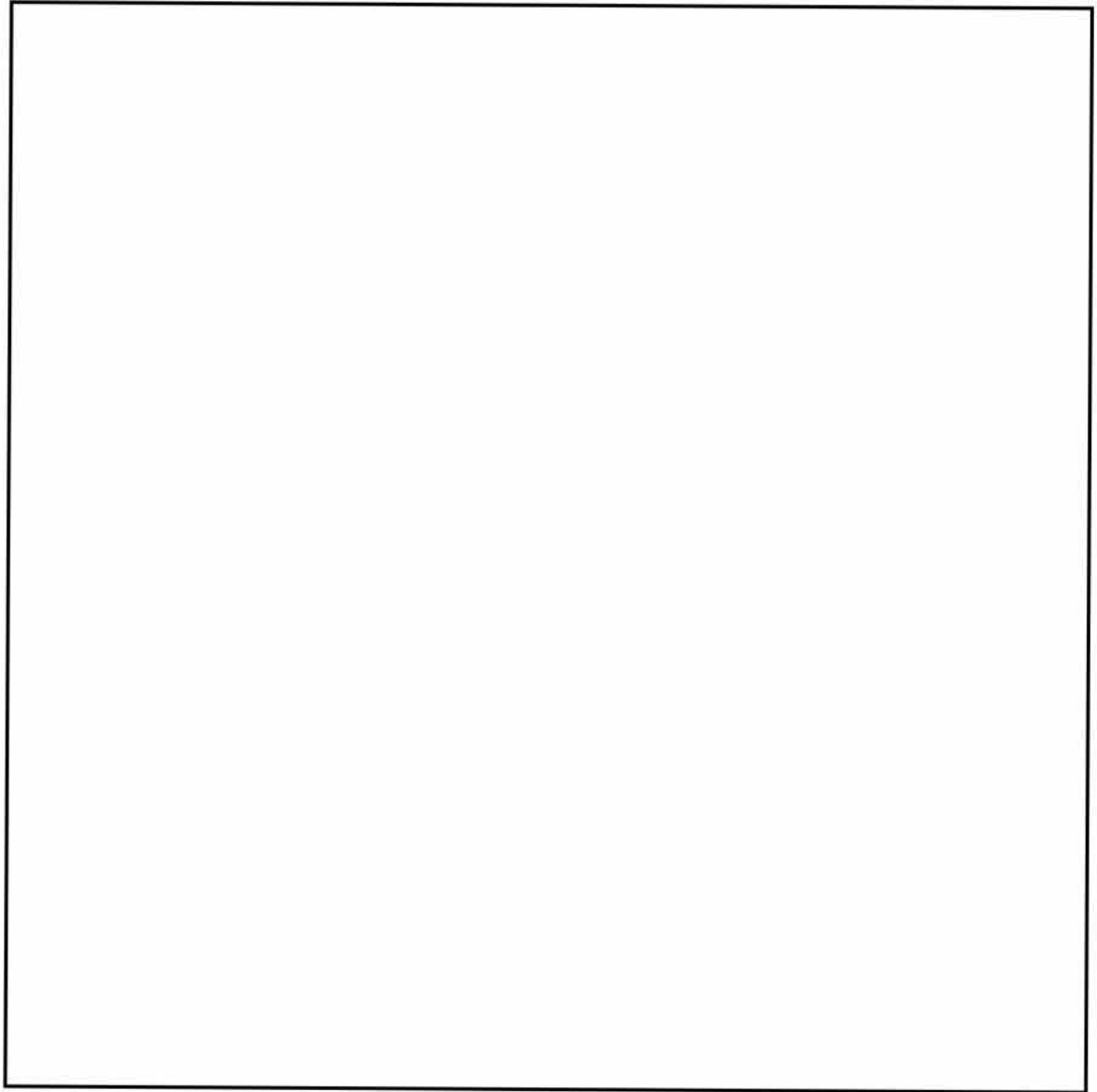
[REDACTED] Mr.
MONTANYE advised that he had received an inquiry from the
City of Fort Myers, Florida, Police Department regarding
employment reference. [REDACTED] while employed at ACF
resided [REDACTED] New York.

Mr. MONTANYE provided the following information
regarding the above listed Correctional Officers:

UNKNOWN SUBJECTS; Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York: [REDACTED]

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b7C

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS



UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York: [redacted]

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b7C

Inmates of Attica - VICTIMS
CIVIL RIGHTS

Name

Current Employment

Superintendent LEON J.
VINCENT

Green Haven Correctional
Facility, Stormville,
New York

Correctional Officer [redacted]

Transferred Elmira
Correctional Facility,
Elmira, New York
July 20, 1972

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b7C

On February 22, 1973, [redacted] Credit Bureau of
Greater Buffalo, Buffalo, New York, advised that according to
Credit Bureau records [redacted] - [redacted] currently resides at
[redacted] Florida [redacted]
[redacted] Fort Myers, Florida Police Department.

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On February 22, 1973, [redacted] was provided with
the results of the above investigation.

On February 23, 1973, the Tampa Division of the
Federal Bureau of Investigation advised that [redacted]
[redacted] Florida, [redacted]
[redacted] Fort Myers, Florida Police Department.

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b7C

On February 23, 1973, [redacted] was provided with
the above information.

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On February 26, 1973, [redacted] was recontacted
and stated that hearings before United States Magistrate
MAXWELL were resumed on February 21, 1973 and would probably
continue through March 5, 1973. At this time [redacted] had
no specific request for investigation.

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York. [REDACTED]

b6
b7C

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

On March 2, 1973, [REDACTED] advised that
hearings were continuing as scheduled and that due to prior
commitments he assumed these hearings would terminate on
March 5, 1973, regarding victim [REDACTED]
[REDACTED] stated that hearings regarding the remaining two victims,
[REDACTED] would be scheduled
in the near future and that he anticipates requests for
specific investigation in regard to those hearings. [REDACTED]
[REDACTED] stated that he had no requests for any investigation
at this time.

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This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI and is
loaned to your agency; it and its contents are not to be
distributed outside your agency.

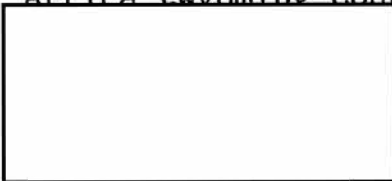
F B I

Date: 3/22/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;Inmates of Attica -
VICTIMS
CR
(OO: Buffalo)100 CRU
100 CRD
3/28/73
6-78(G)
J JMF/11bab6
b7C

Re Buffalo airtel to Bureau dated 3/2/73.

Enclosed for the Bureau are the original and
three (3) copies of an LHM regarding captioned matter.One copy of this LHM has been furnished
to the USA, Buffalo.Regular contact has been maintained with
AUSA [redacted] WDNY, Buffalo, and since
submission of referenced communication, he has made
no request for investigation in this matter, due to
his involvement in a trial at Buffalo.b6
b7C(2) - Bureau (Encs. 4) (AM) (RM)
2 - Buffalo
JLB:dms
(4)REC-32
EX-114

44-50605-169

Approved: 151 B-HH pm
Special Agent in Charge
55 APR 3 1973Sent _____ M Per 70

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

[redacted] Will maintain close contact with AUSA [redacted]
[redacted] WDNY, regarding this matter, and upon receipt
of request for investigation, will expeditiously conduct
same and appropriately report results to Bureau.

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
March 22, 1973

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;



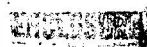
Inmates of Attica - VICTIMS
CIVIL RIGHTS

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b7C

Regular contact has been maintained with Assistant United States Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York, who advised on March 21, 1973 that hearings before United States Magistrate EDMUND F. MAXWELL, Buffalo regarding allegations of victim [redacted] in this matter, would resume on April 3, 1973. At this time [redacted] had no specific request for investigation but stated that with the resumption of hearings and the anticipated scheduling of hearings for the near future regarding the remaining victims, [redacted] he anticipated requests for investigation.

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.



44-50605-169

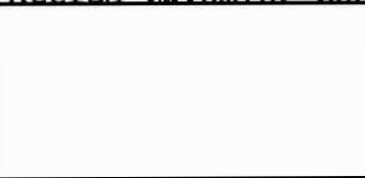
F B I

Date: 4/6/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;Inmates of Attica - VICTIMS
CR
(OO Buffalo)

Remyairtel 3/22/73.

Enclosed for the Bureau are the original and
three copies of an LHM regarding captioned matter.One copy of this LHM has been furnished the USA,
WDNY, Buffalo, New York.Regular contact has been maintained with AUSA
[redacted] WDNY, Buffalo; and since submission of
referenced communication, he has made no request for inves-
tigation in this matter due to his involvement in a trial
at Buffalo.2 - Bureau (Encs 4) (AM-RM)
2 - Buffalo
JLB:bmb
(4)

4 APR 10 1973

Approved: RHA pm Sent _____ M Per _____
Special Agent in Chargeb6
b7Cb6
b7C

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will maintain close contact with AUSA, WDNY, re this matter; and upon receipt of request for investigation, will expeditiously conduct same and appropriately report results to Bureau.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
April 6, 1973

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

Regular contact has been maintained with Assistant United States Attorney [redacted] Western District of New York, Buffalo, New York, who advised on April 5, 1973 that hearings before United States Magistrate EDMUND F. MAXWELL at Buffalo regarding allegations of Victim [redacted] in this matter resumed April 3, 1973 and terminated April 4, 1973. At this time, [redacted] had no specific request for investigation but stated a tentative date of May 7, 1973 had been set to begin hearings before Mr. MAXWELL regarding the allegations of victim [redacted] in this matter.

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[redacted] stated in the near future, he would review the allegations of Victim [redacted] and he anticipated, after this review, requests for specific investigation by the FBI.

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-50605-170
ENCLOSURE

FBI

Date: 4/17/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;Inmates of Attica - VICTIMS
CR
(OO: BUFFALO)

100 CRW
100 CRD
4/23/73
0-70(6)
JTB/bw
Note: A diagram
is being prepared
as requested by
AUSA

b6
b7CRe Buffalo airtel to Bureau dated 4/6/73 and
Buffalo airtel to New York dated 4/16/73 (IO).Enclosed for the Bureau are the original and
three copies of a LHM regarding captioned matter.One copy of this LHM has been furnished to the
United States Attorney, Western District of New York, (WDNY),
Buffalo, New York.For the information of the Bureau, referenced
communication dated 4/16/73 forwarded negatives regarding
photographs as requested by Assistant United States
Attorney (AUSA) [redacted] WDNY, Buffalo, New York,
which will be furnished to him when printed and returned by
the New York Office Photo Lab.b6
b7C2 Bureau (Encs-4) (AM)
2 - Buffalo

JLB:lmk (4) ENCLOSURE

REC-3 44-50605-171

EX-101

APR 19 1973

Approved: RHA

Special Agent in Charge

Sent _____

M

Per _____

BU 44-592

LEADS

BUFFALO

AT BUFFALO, NEW YORK

(1) Will furnish AUSA [] above photographs
when returned by New York Office.

b6
b7C

(2) Will complete requested diagram of East Gallery
and Day Room, Third Floor, Housing Building 2 (HB2), Attica
Correctional Facility (AFC), Attica, New York, and furnish to
AUSA []



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
April 17, 1973

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York: [redacted]

[redacted]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

Regular contact has been maintained with Assistant
United States Attorney [redacted] Western District
of New York, Buffalo, New York, who advised on April 11,
1973 that hearings before United States Magistrate EDMUND F.
MAXWELL, Buffalo, New York, regarding allegations of victim
[redacted] in this matter are still scheduled to
begin May 7, 1973. At this time, [redacted] requested that
various photographs be taken of the northeast corner of the
Day Room and East Gallery of the Third Floor, Housing
Building 2 (HB2), Attica Correctional Facility (ACF), Attica,
New York. [redacted] also requested that a diagram be made
of this same area.

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b7C

[redacted] stated that he did not need the photo-
graphs or diagram until approximately May 3 or 4, 1973, and
that although he had no other specific request for investi-
gation he anticipated that he might have additional requests
before hearings resume in this matter.

On April 13, 1973, the requested photographs, as
above, were taken as follows:

ENCLOSURE

44-50605-171

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 4/16/73

On April 13, 1973, SA [redacted] took twelve photographs depicting the northeast corner of the Day Room and the east gallery, both on the third floor of Housing Building Z, Attica Correctional Facility, Attica, New York. The following is a description of each photograph taken:

b6
b7CPhotograph NumberDescription

1	Northeast corner of Day Room
2	Northeast corner of Day Room
3	Northeast corner of Day Room
4	North side of Day Room disclosing windows of control room
5	North side of Day Room disclosing windows of control room
6	Northeast corner of Day Room and east gallery entrance door with kitchen door closed
7	East gallery just outside gallery door
8	East gallery just inside gallery door
9	From outside cell #15, looking toward yard area
10	From outside cell #19, looking toward Day Room
11	From outside cell #9, looking toward Day Room
12	From outside cell #9, looking toward yard area

Interviewed on 4/13/73 at Attica, New York File # Buffalo 44-592
 by SAs [redacted] and JLB:pjc Date dictated 4/16/73

b6
b7C

- 2 -

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York: [REDACTED]

b6
b7C

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI and
is loaned to your agency; it and its contents are not to be
distributed outside your agency.

FBI

Date: 5/4/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

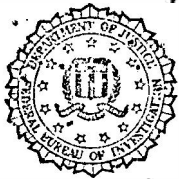
UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;Inmates of Attica - VICTIMS
CR
(OO: BUFFALO)

Re Buffalo airtel to Bureau, dated 4/17/73.

Enclosed for the Bureau are four copies of an
LHM re captioned matter.One copy of this LHM has been furnished to
the USA, Western District of New York, Buffalo, New York.LEADBUFFALOAT BUFFALO, NEW YORKWill maintain close contact with AUSA
 Western District of New York, re this matter
and upon receipt of request for investigation, will
expeditiously conduct same and appropriately report
results to Bureau.2 - Bureau (Encs. 4) (AM)
2 - Buffalo70 MAY 10 1973
(4)

11 MAY 7 1973

Approved: _____
Special Agent in ChargeSent _____ M Per JSXb6
b7Cb6
b7C



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

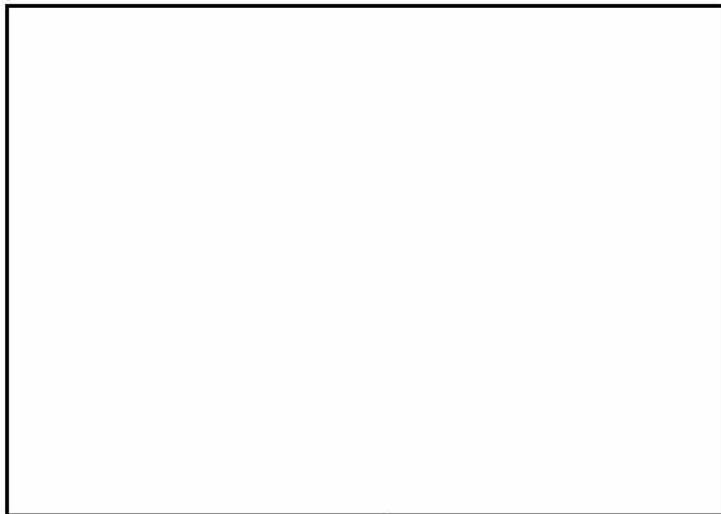
May 4, 1973

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York: [REDACTED]

Inmates of Attica - VICTIMS
CIVIL RIGHTS

On April 17, 1973, Assistant United States
Attorney (AUSA) [REDACTED] Western District of
New York (WDNY), Buffalo, New York, was contacted and
requested the current location of the following former
Attica Correctional Facility (ACF) inmates:



[REDACTED] stated that he intended to subpoena
the above persons to testify at hearings before U. S. Magistrate
Edmund F. Maxwell, Buffalo, New York, which are scheduled
to commence May 7, 1973, regarding the allegations of
victim [REDACTED] in this matter.

On April 17, 1973, [REDACTED]
ACF, Attica, New York, furnished the following information
regarding the above six persons:

44-50605-172

ENCLOSURE

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b7C

b6
b7C

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York; [REDACTED]

b6
b7C

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

<u>Name</u>	<u>Attica Inmate Number</u>	<u>Location</u>
-------------	---------------------------------	-----------------

--	--	--

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York: [REDACTED]

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b7C

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

[REDACTED]

On April 23, 1973, [REDACTED] was recontacted
and was provided with photographs taken on April 13, 1973,
at ACF of the East Gallery and Day Room, third floor,
Housing Building Z.

On April 23, 1973, the Albany, New York, Division
of the Federal Bureau of Investigation (FBI), advised as follows:

Records at Great Meadow Correctional Facility
(GMCF), Comstock, New York, disclose [REDACTED]
[REDACTED] to Auburn Correctional
Facility, Auburn, New York. Auburn Correctional Facility
records disclose [REDACTED]
[REDACTED] to Wyoming County Sheriff's Office, Warsaw, New York.

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b7C

Records at GMCF disclose [REDACTED] was
[REDACTED]
[REDACTED] New York.

Records at Clinton Correctional Facility,
Dannemora, New York, disclose [REDACTED]
[REDACTED] New York.

Records at Auburn Correctional Facility, Auburn,
New York, disclose [REDACTED]
[REDACTED]

On April 24, 1973, Deputy Sheriff [REDACTED]
Erie County Sheriff's Office, Buffalo, New York, advised that
[REDACTED] New York.

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York.

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

On April 24, 1973, [REDACTED] was recontacted
and was provided with the current locations of [REDACTED]
[REDACTED]

On April 30, 1973, the New York Division of the
FBI advised that [REDACTED] New York State Parole
Office, New York City, New York, stated that [REDACTED]
currently resides at [REDACTED]
[REDACTED] New York.

On May 1, 1973, the New York Division advised
that according to New York State Parole Officials, New York
City, New York, [REDACTED]
[REDACTED] New York, [REDACTED]
[REDACTED]

On May 1, 1973, [REDACTED] was recontacted and
provided with the current locations as above regarding
[REDACTED]

On May 2, 1973, [REDACTED] was recontacted
and was provided with completed diagrams depicting the
East Gallery and Day Room areas of the third floor of
Housing Building Z, ACF, Attica, New York.

On May 2, 1973, the Richmond Division of the FBI
advised that an official of the Virginia State Penitentiary,
500 Spring Street, Richmond, Virginia, stated that [REDACTED]
[REDACTED]

On May 3, 1973, [REDACTED] was recontacted and
was provided with the current location of [REDACTED] as above.
[REDACTED] advised that hearings before U. S. Magistrate
Edmund F. Maxwell, supra, were now scheduled to begin
May 8, 1973, and that he had no further specific request
for investigation in this matter at this time.

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York: [REDACTED]

b6
b7C

[REDACTED]
Inmates of Attica - VICTIMS
CIVIL RIGHTS

This document contains neither recommendations
nor conclusions of the FBI. It is the property of the FBI
and is loaned to your agency; it and its contents are not
to be distributed outside your agency.

F B I

Date: 5/17/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)TO: ACTING DIRECTOR, FBI (44-50605)
(ATTN: ADMINISTRATIVE DIVISION -
EXHIBIT SECTION)

FROM: SAC, BUFFALO (44-592) (P)

UNSUB; Correctional Officers,
Attica Correctional Facility,
Attica, (Westchester County) New York;[REDACTED]
INMATES OF ATTICA - VICTIMS
CR
(OO: BUFFALO)Enclosed for the Bureau are three (3) 4"x 5"
black and white negatives.On 5/16/73, Assistant United States Attorney
(AUSA) [REDACTED] Western District of New York
(WDNY), Buffalo, New York, requested that five photographs
of each of the charts depicted in the three enclosed
negatives be prepared suitable for court room use by
attorneys and witnesses and to be approximately 20"x 24"
enlargements with appropriate markings for easy handling.AUSA [REDACTED] advised that hearings in this matter
commence 6/5/73 and that he will need the requested
photographs by 5/31/73 for his evaluation prior to the
hearing.

- ② - Bureau (Encs. 3) (AM) (RM)
-
- 2 - Buffalo

JDO:mms

(4)

ENCLOSURE ATTACHED

Approved: RHA
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1974-574

6815

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b7Cb6
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RECEIVED

INSPECTED

7/2/73

ed

Custody
44-50605-173

12 MAY 21 1973

McDONOUGH

SIX

BU 44-592

REQUEST OF THE BUREAU

It is requested that five (5) 20"x 24" enlargements with mountings be prepared for each of the three enclosed negatives.

WARNING

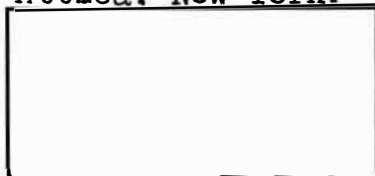
DOCUMENTS CANNOT BE SCANNED

DESCRIPTION

NEGATIVES

ENCLOSURE TO BUREAU FROM BUFFALO
ATTN: ADMINISTRATIVE DIVISION -
EXHIBIT SECTION

RE: UNSUBS; Correctional Officers,
Attica Correctional Facility,
Attica, New York:



INMATES OF ATTICA - VICTIMS
CR

3 - 4"x 5" black and white negatives

Buffalo file 44-592

By airtel, dated 5/17/73

EVIDENCE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

b6
b7C

ATTICA CORRECTIONAL FACILITY
44-50605-173

END

PARTIALLY SCANNED

AIRTEL

5/23/73

To: SAC, Buffalo (44-592) ^{REC-84}
From: Acting Director, FBI (44-50605) - 173 1 - Mr. MacFarlane

UNSUB; CORRECTIONAL OFFICERS,
ATTICA CORRECTIONAL FACILITY,
ATTICA (WYOMING COUNTY) NEW YORK;
[REDACTED] - VICTIMS

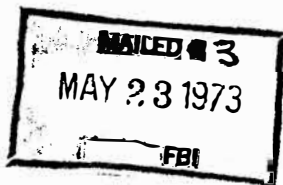
CIVIL RIGHTS

OO: BU

Reurairtel 5/17/73.

Forwarded herewith are 5 copies each of the 3 photographs submitted and requested by you in referenced airtel.

Enclosures (15)



716532

JJMF:bap (4)

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conny _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

55 MAY 29 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

b6
b7C

BU 44-592

LEADS

BUFFALO

AT BUFFALO, NEW YORK

(1) Will furnish to AUSA [redacted] WDNY, completed photographs of diagrams previously furnished him in this matter when processing is completed by Exhibit Section.

(2) Will continue to maintain close contact with AUSA [redacted] and upon receipt of request for investigation, will expeditiously conduct same and appropriately report results to Bureau.

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
May 21, 1973

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

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b7C

Regular contact has been maintained with Assistant U. S. Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York, who requested on May 16, 1973, that photographs be taken of the three diagrams of Housing Building Z, Attica Correctional Facility (ACF), Attica, New York, which he had been previously furnished. AUSA [redacted] further requested that he be provided with five copies each of the three photographs, that they be mounted for suitable handling by witnesses at future hearings, and that they be of a large enough size so that details in the diagrams would be visible.

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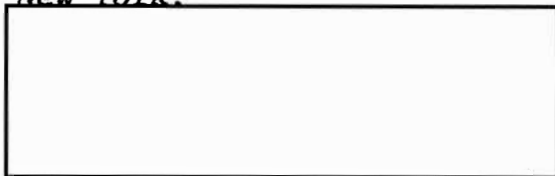
On May 21, 1973, AUSA [redacted] was recontacted and advised that hearings regarding the allegations of Victim [redacted] in this matter were held between May 8 and May 17, 1973, before U. S. Magistrate EDMUND F. MAXWELL, WDNY, Buffalo, New York. AUSA [redacted] pointed out that these hearings terminated May 17, 1973, and that hearings before Magistrate MAXWELL would commence June 5, 1973, regarding allegations of Victim [redacted] in this matter. AUSA [redacted] had no

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b7C

44 - 50605 - 174


ENCLOSURE

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

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b7C

further specific request for investigation in this matter at
this time. However, he pointed out that he anticipated such
a request ~~after his thorough~~ review of information relative to
Victim 

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/21/73

Assistant U. S. Attorney (AUSA) [REDACTED]
Western District of New York (WDNY), was contacted and provided three diagrams which he had previously been furnished by the FBI. One photograph was taken of each of these diagrams, which are described as follows:

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- (1) Diagram depicts the day room, stairwell, kitchen; south, north, east and west galleries; exercise yards at end of south and north galleries, all on the third floor of Housing Building Z (HBZ), Attica Correctional Facility (ACF), Attica, New York.
- (2) Diagram depicts day room, kitchen, stairwell, and part of east and west galleries, all of the second floor, HBZ, ACF, Attica, New York.
- (3) Diagram depicts day room, stairwell, kitchen, east and west galleries and exercise yards associated with these galleries, all on the third floor, HBZ, ACF, Attica, New York.

Interviewed on 5/17/73 at Buffalo, New York File # Buffalo 44-592
by SAs [REDACTED] MD:cap Date dictated 5/18/73

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b7C

- 3 -

UNKNOWN SUBJECTS; Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI and
is loaned to your agency; it and its contents are not to be
distributed outside your agency.

F B I

Date: 5/31/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)TO: ACTING DIRECTOR, FBI (44-50605)
(ATTN: ADMINISTRATIVE DIVISION,
EXHIBIT SECTION)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Livingston County), New York;[REDACTED]
Inmates of Attica - VICTIMS (10
CR
(OO: BUFFALO)Remyairtel, 5/17/73 and Bureau airtel to Buffalo,
5/23/73.Enclosed for the Bureau are two (2) Tri-x film
packs.

It is noted first referenced airtel concerned
request of AUSA [REDACTED] WDNY, Buffalo, New York,
for enlargements of photographs of three charts previously
used in hearings in this matter. On 5/25/73, AUSA [REDACTED]
advised that there is one additional chart that was in-
advertently overlooked when photographs were previously
taken of charts.

3 - Bureau (Encls 2) (AM)
2 - Buffalo

JLB:cap
(5)

NOT RECORDED

4 JUN 4 1973

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

70 JUN 7 1973

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BU 44-592

One of the enclosed film packs contains exposed negatives depicting one chart in which different exposure settings and lighting was used for each negative. The other film pack is similar to the first, differing only in the fact that it depicts a different chart.

Photographs were retaken of one of the charts which was previously photographed due to the double image effect when this negative was processed by the Bureau.

AUSA [] advised on 5/30/73 that remaining hearings in captioned matter would commence on 6/19/73, and that he would request that enlargements requested of charts be furnished to him by 6/11/73.

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b7c

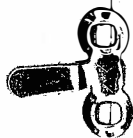
REQUEST OF THE BUREAU

It is requested that the best negative of each of the enclosed film packs be selected and that five (5) 20 x 24" enlargements with mountings be prepared for each of the selected negatives.

ENCLOSURES TO BUREAU FROM BUFFALO

Bureau 44-50605
Buffalo 44-592

Two film packs re captioned
matter



UP-078

ATTICA STATE PRISON

BUFFALO, N.Y. (UPI) -- PROSECUTORS TODAY RECOMMENDED DISMISSAL OF ALL BUT ONE CHARGE STEMMING FROM THE BLOODY 1971 ATTICA PRISON RIOT "IN THE INTERESTS OF JUSTICE."

SPECIAL DEPUTY ATTORNEY GENERAL ALBERT SCOTTI ASKED STATE SUPREME COURT JUSTICE FRANK BAYGER TO DISMISS KIDNAPING CHARGES AGAINST 10 INMATES AND ASSAULT CHARGES AGAINST THREE OTHERS.

HE ALSO MOVED THAT THE CHARGE OF RECKLESS ENDANGERMENT RETURNED AGAINST A STATE TROOPER BE DISMISSED.

SCOTTI SAID THE DISMISSALS WERE MADE NECESSARY "BY THE UNFAIRNESS OF THE STATE INVESTIGATION" OF THE RIOT.

THE ONLY PENDING CASE HE DID NOT SEEK A DISMISSAL FOR INVOLVED A CHARGE OF MURDER AGAINST FORMER INMATE MARIANO GONZALEZ, ACCUSED OF KILLING ANOTHER PRISONER DURING THE REBELLION. GONZALEZ CURRENTLY IS A FUGITIVE.

SCOTTI SAID THAT CASE WOULD NOT BE DISMISSED "PRIMARILY BECAUSE THE INTERESTS OF JUSTICE DO NOT REQUIRE FOREGOING PROSECUTION OF A PROVEABLE, INTENTIONAL KILLING WHETHER COMMITTED BY AN INMATE OR A LAW ENFORCEMENT OFFICER."

UPI 02-26 02:19 PES

157-23105-A-

F B I

Date: 6/11/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;Inmates of Attica - VICTIMS
CR
(OO: BUFFALO)Remyairtel, 5/21/73 and Bureau airtel to Buffalo,
5/23/73.Enclosed for the Bureau are the original and
three (3) copies of an LHM regarding captioned matter.One copy of this LHM has been furnished to USA,
WDNY, Buffalo.It is noted that Buffalo has submitted, by communi-
cation dated 5/31/73 to the New York Office, photographs
of the second floor, West Gallery, Housing Building 2, (HB2),
Attica Correctional Facility (ACF), for processing.① - Bureau (Encls. 4) (AM)
2 - BuffaloJLB:cap
(4)1CRD-070(B)TTB:ice
1CRA-64 6/15/73

EX-103

2 JUN 14 1973

Approved: [Signature]
Special Agent in Charge

Sent _____

BU 44-592

LEADS

BUFFALO

AT BUFFALO, NEW YORK

(1) Will furnish to AUSA [redacted] WDNY, completed photographs of West Gallery, second floor, HBZ, ACF, when received from New York Office.

(2) Will continue to maintain close contact with AUSA [redacted] and upon receipt for investigation, will expeditiously conduct same and appropriately report results to Bureau.

b6
b7C

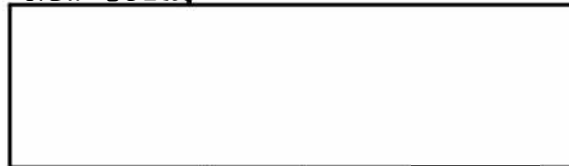


UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
June 11, 1973

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York;



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On May 25, 1973, Assistant U. S. Attorney (AUSA)
[redacted] Western District of New York (WDNY),
Buffalo, New York, was contacted and was furnished with com-
pleted photographic enlargements of charts depicting areas
in Housing Building Z (HBZ), Attica Correctional Facility
(ACF), Attica, New York, which had been previously submitted
to him.

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At this time AUSA [redacted] requested that investi-
gation be initiated to locate Former ACF Inmate [redacted]
[redacted] whom he thought had been conditionally released on
parole. AUSA [redacted] also requested that various photographs
be taken of the West Gallery, second floor, HBZ, ACF, and to
include a view of the interior of Cell #15 on this gallery.
AUSA [redacted] further noted that a chart, which had been pre-
viously submitted, had been inadvertently overlooked in the
processing of photographic enlargements and he, therefore,
requested that the same processing be conducted regarding
this chart furnishing it to contacting Agent.

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AUSA [redacted] stated that he did not anticipate
hearings in this matter to commence before U. S. Magistrate
EDMUND F. MAXWELL, Buffalo, New York prior to June 19,
1973.

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b7C

44-50605-175
ENCLOSURE

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On May 25, 1973, [redacted] ACF
Attica, New York, was contacted and advised that [redacted]
[redacted] was a former ACF Inmate who was
conditionally [redacted] and
was to report to the New York State Parole Office at 314 West
40th Street, New York City, New York.

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b7C

On May 30, 1973, AUSA [redacted] was recontacted
and advised that hearings as above regarding victim [redacted]
[redacted] would definitely commence June 19, 1973.

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b7C

By communication dated May 31, 1973, the New York
Office of the Federal Bureau of Investigation advised [redacted]
[redacted] New
York.

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b7C

On June 1, 1973, AUSA [redacted] was recontacted and
was provided with the above information regarding [redacted]

b6
b7C

On June 8, 1973, AUSA [redacted] was recontacted and
was provided with five copies each of the remaining two photo-
graphic enlargements of charts previously submitted to him
in this matter. At this time AUSA [redacted] stated that hearings
were still scheduled as above and that he had no specific
request for investigation at this time.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/8/73

On May 29, 1973, the below-described photographs ~~hs~~
were taken at Attica Correctional Facility (ACF) by SA [redacted]
[redacted] These photographs were all taken on the second
floor of Housing Building Z (HBZ).

b6
b7C

<u>Photograph</u>	<u>Description</u>
#1	View of Cell #15, West Gallery, second floor.
#2	Same view as in #1, except from a slightly different angle in front of cell.
#3	View of West Gallery from in front of Cell #15 looking south.
#4	View of West Gallery from in front of Cell #15 looking north.
#5	View of West Gallery taken from north end of gallery, looking south.
#6	View of West Gallery taken from far south end of gallery, looking north.

Interviewed on 5/29/73 at Attica, New York File # Buffalo 44-592

SAs [redacted]

JLB:cap

Date dictated 6/4/73b6
b7C

- 3 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/8/73

On May 29, 1973, several photographs were taken of a diagram which depicts the East and West Galleries, Exercise Yards, all on the third floor of Housing Building Z, Attica Correctional Facility, Attica, New York.

Interviewed on 5/29/73 at Buffalo, New York File # Buffalo 44-592
by SA cap Date dictated 6/4/73

- 4 -

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

b6
b7c

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/8/73

On May 31, 1973, several photographs were taken of diagram which depicts the Day Room and part of the East and West Galleries of the second floor of Housing Building Z, Attica Correctional Facility, Attica, New York.

Interviewed on 5/31/73 at Buffalo, New York File # Buffalo 44-592
by SA cap Date dictated 6/6/73

- 5 -

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

b6
b7c

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

This document contains neither recommendations
nor conclusions of the FBI. It is the property of the FBI
and is loaned to your agency; it and its contents are not
to be distributed outside your agency.

F B I

Date: 6/22/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

To: ACTING DIRECTOR, FBI (44-50605)

From: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;[REDACTED]
Inmates of Attica VICTIMS
CR
(OO: Buffalo)

Re Buffalo airtel to the Bureau, 6/11/73.

Enclosed for the Bureau are the original and three (3)
copies of an LHM regarding captioned matter.One copy of this LHM has been furnished to USA, WDNY,
Buffalo, New York.LEADBUFFALOAT BUFFALO, NEW YORKWill continue to maintain contact with AUSA [REDACTED]
[REDACTED] WDNY, in order to obtain U. S. Magistrate's decision in
this matter.

- ② - Bureau (Encs. 4) ENCLOSURE
2 - Buffalo

JLB:kdf
(4)ICRPIICCICRU
1001)TJBICC
6/27/73

REC-39

44-50605-176

23 JUN 25 1973

Approved: 54 JPH
Special Agent in Charge

Sent _____ M Per _____

b6
b7Cb6
b7C



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

June 22, 1973

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On June 13, 1973, Assistant United States Attorney
[redacted] Western District of New York, Buffalo,
New York, was contacted and was provided with completed photo-
graphs previously taken of the West Gallery, second floor,
Housing Building Z, Attica Correctional Facility (ACF), Attica,
New York.

b6
b7C

On June 19, 1973, [redacted] was recontacted and
advised that hearings regarding victim [redacted] in
this matter would not commence until the following day before
United States Magistrate EDMUND F. MAXWELL, Buffalo, New York.

b6
b7C

On June 22, 1973, [redacted] again was recontacted
and advised that the above hearings had commenced on June 20,
1973, and ended on June 21, 1973. [redacted] advised that this
concluded all hearings scheduled in this matter and that he
anticipated requesting no further investigation. [redacted]
pointed out that Magistrate MAXWELL had indicated to him that
it would be at least 30 days before he would advise United
States District Court Judge JOHN T. CURTIN regarding his
recommendations as to whether or not there existed probable
cause to believe that the Judge's injunction issued just
subsequent to a riot at ACF in September, 1971, had been
violated.

b6
b7C

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI and is
loaned to your agency; it and its contents are not to be
distributed outside your agency.

FBI

Date: 7/22/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)TO: DIRECTOR, FBI (44-50605)
FROM: SAC, BUFFALO (44-592) (P)UNSUBS, Correctional Officers,
Attica Correctional Facility,
~~Attica (Worming County)~~, New York;[Redacted]
Inmates of Attica - VICTIMS
CR
(OO: BUFFALO)1cc-CKD
1cc-CKH
070(B)
JIMF'and
7-26-736
73
47
6

Re Buffalo airtel to Bureau, dated 6/22/73.

Enclosed for the Bureau are the original and three
copies of an LHM regarding captioned matter.One copy of this LHM has been furnished to United
States Attorney, Western District of New York, Buffalo, New
York.LEADBUFFALOAT BUFFALO, NEW YORKWill continue to maintain contact with AUSA [Redacted]
WDNY, in order to obtain U. S. Magistrate's deci-
sion in this matter.

- 2 - Bureau (Enc. 4) (AM)
-
- 2 - Buffalo

JLB:ph
(4)

55 JUL 30 1973

REC-37

ST-101

44-50605-177

1 JUL 25 1973

MAILED
SDAb6
b7cb6
b7cApproved: RHA [Signature]
Special Agent in Charge

Sent _____ M Per _____

F-291



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

July 22, 1973

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York.



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On June 28, 1973, July 6, July 13 and July 23,
1973. Assistant United States Attorney (AUSA) [redacted]
[redacted] Western District of New York (WDNY), Buffalo, New
York, was contacted regarding United States Magistrate
EDMUND F. MAXWELL's decision in this matter. This decision
is in regard to whether or not there existed probable cause
to believe that United States District Court Judge JOHN T.
CURTIN's injunction issued just subsequent to a riot at
Attica Correctional Facility, Attica, New York in September,
1971, had been violated.

b6
b7C

On the last date of contact as above, [redacted]
advised that he did not anticipate a decision from Magistrate
MAXWELL until September 30, 1973.

b6
b7C

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI and is
loaned to your agency; it and its contents are not to be
distributed outside your agency.

- 1* -

44-50605-177

ENCLOSURE

FBI

Date: 8/24/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, BUFFALO (157-1711)

**INDICTMENTS FOR ALLEGED CRIMES
GROWING OUT OF DISTURBANCES AT
ATTICA CORRECTIONAL FACILITY
ATTICA, NEW YORK
9/9-13/71
CIVIL UNREST**

44-50605-163
Re Buffalo airtel, 1/4/73, captioned as above.

For information of the Bureau, following indictments returned in Wyoming County Court, Warsaw, New York, of former inmates, Attica Correctional Facility (ACF), in connection with the insurrection at that institution during 9/71, all further prosecutive efforts were transferred to New York State Supreme Court, Buffalo, New York and are being handled by the New York State Attorney General's Office.

On 8/24/73, [redacted] New York State Attorney General's Office, General Donovan Building, Buffalo, New York, advised there are currently 55 Defendants to be tried in connection with the Attica matter, and these defendants are represented by a multitude of attorneys who have presented a host of motions.

REG-38 44-50605-178
In connection with the motions being heard by five judges, New York State Supreme Court, the actions in the most part relate to a Motion of Discovery; wherein, defendants seek to explore a vast amount of information presumably held

(2) - Bureau (AMRM)
(2) - Buffalo

ORJ:pas

(4)

AUG 30 1973

ICC 630 9-0

JTA/

SEP 11 1973

6 AUG 28 1973

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

b6
b7c

BU 157-1711

by State Prosecutors. In addition, relief being sought is by a Motion of a Bill of Particulars in which defendants are asking the prosecutors to divulge specific information relating to the alleged crimes.

[redacted] advised no one could logically predict at this time, the precise time which the first jury trials in the ACF riot cases would begin and pointed out dates ranging from 10/73 to early, 1974 have been suggested. In any event, he pointed out they would begin in the foreseeable future. [redacted] stated the six month prosecution rule conceivably would facilitate trial action.

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b7C

To date, radical and revolutionary groups have not involved themselves in appreciable number with the trial issues, however, it is suspected some of these groups will gravitate to this issue when trials commence.

The Bureau will be advised of any pertinent developments.

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ONE SU 11 AM 11.15

FBI

Date: 9/28/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)
 FROM: SAC, BUFFALO (44-592) (P)
 UNSUBS, Correctional Officers,
 Attica Correctional Facility,
 Attica (Wyoming County), New York;

[REDACTED]
 Inmates of Attica - VICTIMS
 CR
 (OO: Buffalo)

Re Buffalo airtel to Bureau, 7/22/73.

Enclosed for the Bureau are the original and three
 (3) copies of an LHM re captioned matter.

One copy of this LHM has been furnished to the
 USA, WDNY, Buffalo, New York.

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will continue to maintain contact with AUSA [REDACTED]
 [REDACTED] WDNY, in order to obtain U. S. Magistrate's decision
 in this matter.

X-104

2 - Bureau (Encs. 4)
 2 - Buffalo

JLB:klp
 (4)

ENCLOSURE

cc: AAG, CRD, [REDACTED]

Date: 10/2/73

Via: 06 (A)

By: JMF:ad

1cc CIVIL RIGHTS UNIT

REC 27

44-50605-179

OCT 1 1973

Approved: [Signature]
 Special Agent in Charge

Sent _____ M Per _____

b6
 b7C

b6
 b7C



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

September 28, 1973

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

Regular contact has been maintained with Assistant
United States Attorney (AUSA) [redacted] Western
District of New York (WDNY), Buffalo, New York, in an effort
to obtain U. S. Magistrate EDMUND F. MAXWELL's decision in
this matter. This decision is in regard to whether or not
there exists probable cause to believe that U. S. District
Court Judge JOHN T. CURTIN's injunction, issued just sub-
sequent to a riot at Attica Correctional Facility, Attica,
New York, in September, 1971, had been violated.

b6
b7C

On September 24, 1973, AUSA [redacted] was contacted
and advised that he anticipates a decision from U. S. Magi-
strate MAXWELL within the next thirty days.

b6
b7C

This document contains neither recommendations
nor conclusions of the Federal Bureau of Investigation (FBI).
It is the property of the FBI and is loaned to your agency;
it and its contents are not to be distributed outside your
agency.

-1*-

44-50605-179

ENCLOSURE

FBI

Date: 11/5/73

Transmit the following in _____
(Type in plaintext or code)

AIRTEL

AIR MAIL

(Priority)

TO: DIRECTOR, FBI (44-50605)
 FROM: SAC, BUFFALO (44-592) (P)

UNSUBS, Correctional Officers,
 Attica Correctional Facility,
 Attica (Wyoming County), New York;

[REDACTED]
 Inmates of Attica - VICTIMS
 CR
 (OO: Buffalo)

Re Buffalo airtel to Bureau, 9/28/73.

Enclosed for the Bureau are the original
 and three copies of an LHM re captioned matter.

One copy of this LHM has been furnished
 to the USA, WDNY, Buffalo, New York.

LEAD

BUFFALO

AT BUFFALO, NEW YORK

1 cc: AAG, CRD, ~~CRD~~

Date: 11/8/73

Via: 070(B)

By: JME:ud

1cc CIVIL RIGHTS UNIT

AUSA [REDACTED] will continue to maintain contact with
 WDNY, in order to obtain U.S.
 Magistrate's decision in this matter.

- (2) - Bureau (Encs. 4)
 (2) - Buffalo

JLB:dms
 (4)

NOV 7 1973

~~McDONOUGH~~
 BEX

Approved: RHA/
 Special Agent in Charge

Sent _____ M Per _____

b6
 b7C

b6
 b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
November 5, 1973

UNKNOWN SUBJECTS, Correctional
Officers, Attica Correctional
Facility, Attica (Wyoming County),
New York:



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

Regular contact has been maintained with Assistant United States Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York, in an effort to obtain U.S. Magistrate EDMUND F. MAXWELL's decision in this matter. This decision is in regard to whether or not there exists probable cause to believe that U.S. District Court Judge JOHN T. CURTIN's injunction, issued just subsequent to a riot at Attica Correctional Facility, Attica, New York, in September, 1971, had been violated.

b6
b7C

On November 5, 1973, AUSA [redacted] was contacted and advised that a meeting has been tentatively scheduled for the AM hours of November 6, 1973, for Judge CURTIN and Magistrate MAXWELL. [redacted] stated that he anticipates Mr. MAXWELL's decision in this matter may be forthcoming at this meeting. AUSA [redacted] commented that he anticipates a final decision in this matter no later than November 9, 1973.

b6
b7C

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation (FBI). It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-50605-180
ENCLOSURE

F B I

Date: 11/7/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO : DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

UNSUBS,
Correctional Officers,
Attica Correctional Facility
Attica (Wyoming County), New York;Inmates of Attica - VICTIMS
CIVIL RIGHTS
(OO: Buffalo)

Re Buffalo airtel to Bureau, 11/5/73.

Enclosed for the Bureau are the original and
three copies of an LHM regarding captioned matter.One copy of this LHM has been furnished to the
USA, WDNY, Buffalo, New York.LEADBUFFALOAT BUFFALO, NEW YORKWill continue to maintain contact with AUSA
 WDNY, in order to follow and report further court
proceedings in this matter.

- 2 - Bureau (Encs. 4) (AM) cc: AAG, CRD, ~~CRD~~
2 - Buffalo

JLB:jae
(4)

Date: 11/12/73

Via: 070(B)

By: JME:ad

NOV 9 1973

1cc CIVIL RIGHTS UNIT

Approved: RHA/jae
Special Agent in Charge

Sent _____ M Per _____

b6
b7Cb6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
November 7, 1973

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On November 7, 1973, Assistant United States Attorney (AUSA) [redacted] Western District of New York, Buffalo, New York, advised that on November 6, 1973, U. S. Magistrate EDMUND F. MAXWELL, Buffalo, New York, had filed with U. S. District Court Judge JOHN T. CURTIN, Buffalo, New York, his findings and conclusions regarding possible violation of Judge CURTIN's injunction issued just subsequent to a riot at Attica Correctional Facility, Attica, New York, in September, 1971. [redacted] stated that U. S. Magistrate MAXWELL had concluded that there existed probable cause to believe Judge CURTIN's injunction had been violated with regard to victim [redacted] and therefore recommended that a trial be held in this matter.

b6
b7C

[redacted] pointed out that in approximately two weeks he intends to argue before Judge CURTIN that remaining victims' cases should also go to trial adding he felt certain in early January, 1974 a trial would be held regarding victim [redacted] [redacted] stated that he would anticipate requesting further investigation by the Federal Bureau of Investigation prior to the above trial.

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-50605-181

-1*-

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 11/12/73

FROM : SAC, BUFFALO (157-1711) (P)

SUBJECT: INDICTMENTS FOR ALLEGED CRIMES
GROWING OUT OF DISTURBANCES AT
ATTICA CORRECTIONAL FACILITY
ATTICA, NEW YORK
9/9 - 13/71
CIVIL UNREST

Remyairtel, 8/24/73.

For the information of the Bureau, established sources advised that prosecutive programs in connection with captioned matter remains substantially unchanged and that the multitude of motions remain to be heard prior to trial action in this matter. Sources advised that no date has been suggested as to when court trial action will occur.

The Bureau will be kept aware of developments in this matter.

2 - Bureau (RM)
2 - Buffalo

ORJ:cap
(4)

REC-57. 44-50605-182

EX-117

NOV 21 1973
100630 943
JTA/m



5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

F B I

Date: 11/16/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO : DIRECTOR, FBI (44-50605)
 FROM: SAC, BUFFALO (44-592) (P)

UNSUBS,
 Correctional Officers
 Attica Correctional Facility
 Attica (Wyoming County), New York;

Inmates of Attica - VICTIMS
CIVIL RIGHTS
 (OO: Buffalo)

Re Buffalo airtel to Bureau, 11/7/73.

Enclosed for the Bureau are the original and three copies of an LHM regarding captioned matter.

One copy of this LHM has been furnished USA, WDNY, Buffalo, New York.

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will continue to maintain contact with USA's Office, WDNY, in order to follow and report further court proceedings in this matter.

- (2) - Bureau (Encs. ENCLOSURE) (AM)
 2 - Buffalo

JLB:jae
 (4)

1 cc: CIVIL RIGHTS UNIT
 1 cc: AAG, CRD, CRIM D

Date: NOV 19 1973

Via: 620(B)

By: JIMF: GAW

1 cc: AAG, CRD, CRIM D

Date:

Via:

By:

REC-8

44-50605-183

NOV 19 1973

McDONOUGH

b6
 b7C

Approved: RHA

Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York
November 16, 1973

In Reply, Please Refer to
File No.

UNKNOWN SUBJECTS,
Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On November 16, 1973, JOHN T. ELFVIN, United States Attorney, Western District of New York, Buffalo, New York, advised that on November 15, 1973 he had appeared before United States District Court Judge JOHN T. CURTIN, Buffalo, New York, on behalf of the Government to present argument to the effect that alleged previous violations of Judge CURTIN's injunction issued in September, 1971 should be heard in trials as they pertain to captioned victims. Mr. ELFVIN stated that Judge CURTIN reserved decision in this matter and that he did not anticipate a final decision in this matter for approximately three weeks.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

44-50605-183

F B I

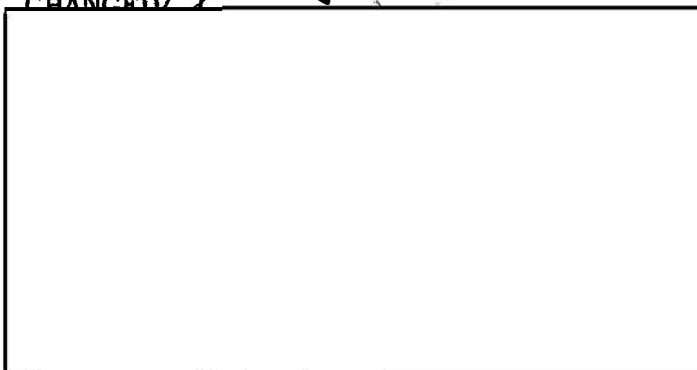
Date: 11/26/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

To: DIRECTOR, FBI (44-50605)

From: SAC, BUFFALO (44-592) (P)

CHANGED



Inmate s of Attica - VICTIMS
CIVIL RIGHTS
(OO: Buffalo)

1cc CIVIL RIGHTS UNIT

1 cc: AAG, CRD, CRIM

Date: 11/30/73

Via: 070(B)

By: JMF

Title marked "Changed" to add known subjects

Title also changed to delete victims

Changes made in view of information contained in the enclosed LHM. Title formerly carried as "UNSUBS, Correctional Officers, Attica Correctional Facility, Attica (Wyoming County), New York; Inmates of Attica - VICTIMS, CIVIL RIGHTS, OO: Buffalo."

Re Buffalo airtel to the Bureau, 11/16/73.

Enclosed for the Bureau are the original and three (3) copies of an LHM re captioned matter.

One copy of this LHM has been furnished USA, WDNY, Buffalo, New York.

2 - Bureau (Encs. 4)
2 - Buffalo

JLB:kdb

(4) DEC 11 1973

5 NOV 29 1973

Approved: RHA
Special Agent in Charge

Sent _____ M Per _____

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

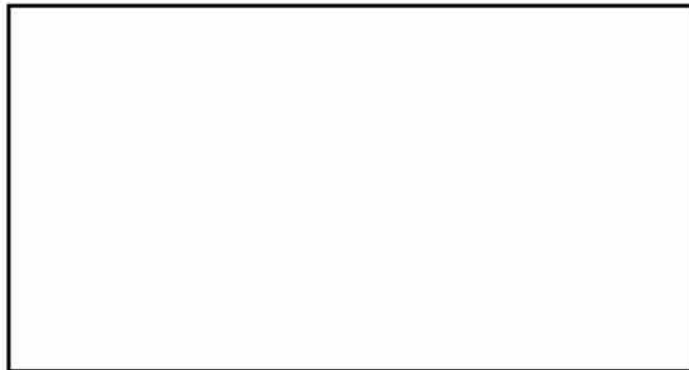
Will continue to maintain contact with USA's Office, WDNY, in order to follow and report further court proceedings in this matter.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
November 26, 1973



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On November 26, 1973, Assistant United States Attorney [redacted] Western District of New York, Buffalo, New York, advised that he had received on this date five court orders signed by United States District Court Judge JOHN T. CURTIN, Buffalo, New York. [redacted] explained that four of these orders indicated that the court found no probable cause to believe that the court's prior injunction issued in September, 1971, had been violated as alleged by Attica Correctional Facility inmates

b6
b7C

[redacted] stated that with regard to the allegations made by Attica Correctional Facility inmate [redacted] the court had ordered the United States Attorney's Office, Buffalo, New York, to prepare a formal notice of the commencement of criminal contempt proceedings and that if possible, this order should be made before the court on December 13, 1973.

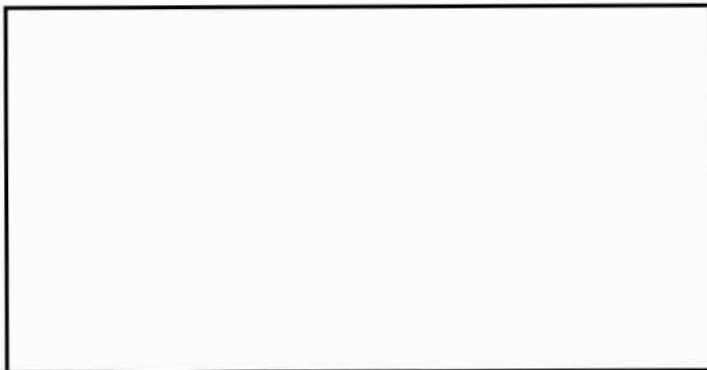
[redacted] further stated that in view of the above information, he anticipates there would be in fact a trial with regard to allegations made by [redacted] against Correctional Officers [redacted]

b6
b7C

[redacted] continued that he did not anticipate

44-50605-184

ENCLOSURE



Inmates of Attica - VICTIMS
CIVIL RIGHTS

the above trial to begin prior to early February, 1974.
[redacted] stated that he would anticipate requesting
further investigation by the Federal Bureau of Investiga-
tion prior to the above trial.

This document contains neither recommendations
nor conclusions of the FBI. It is the property of the FBI
and is loaned to your agency; it and its contents are not
to be distributed outside your agency.

F B I

Date: 12/13/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

RHA
To: DIRECTOR, FBI (44-50605)
From: SAC, BUFFALO (44-592) (P)

Inmates of Attica - VICTIMS
CIVIL RIGHTS
(OO: Buffalo)

Re Buffalo airtel to the Bureau, 11/26/73.

Enclosed for the Bureau are the original and three (3) copies of an LHM re captioned matter.

One copy of this LHM has been furnished USA, WDNY, Buffalo, New York.

LEADBUFFALOAT BUFFALO, NEW YORK

Will continue to maintain contact with AUSA [redacted]
[redacted] WDNY, in order to follow and report further court
proceedings in this matter.

2 - Bureau (Encs 4) (AM)
2 - Buffalo
JLB:kdb (4)

1cc CIVIL RIGHTS UNIT

1 cc: AAG, CRD, ~~CRD~~

Date: 12/18/73

Via: 070(B)

By: JME:ld

6 DEC 17 1973

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

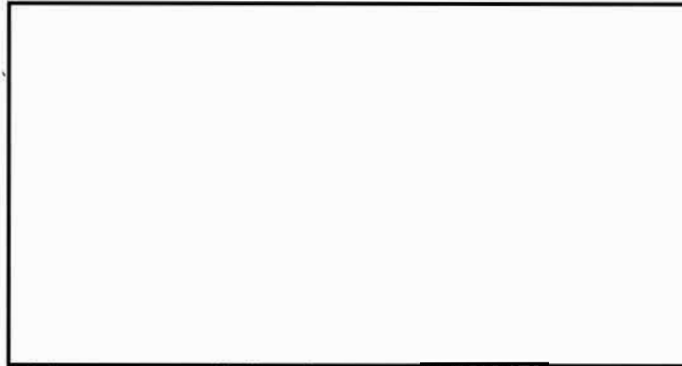


UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York
December 13, 1973

In Reply, Please Refer to
File No.



Inmates of Attica - VICTIMS
CIVIL RIGHTS

b6
b7C

On December 13, 1973, Assistant United States Attorney (AUSA) [redacted] Western District of New York, Buffalo, New York, advised that on December 10, 1973, United States District Court Judge JOHN T. CURTIN, Buffalo, New York, had signed an Order To Show Cause why captioned correctional officers should not be held in criminal contempt of court. AUSA [redacted] added that court proceedings scheduled for December 13, 1973, in this matter had been postponed until December 20, 1973, at which time he anticipates Judge CURTIN will allow defense counsel appropriate time to make pre-trial motions in this matter.

b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-50605-185
- 1* -

ENCLOSURE

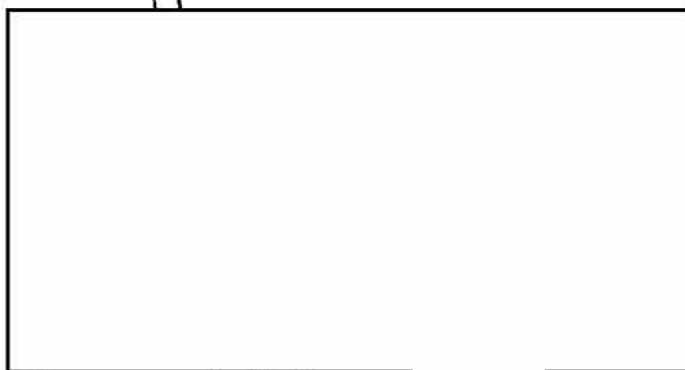
F B I

Date: 12/21/73

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

Dir.	
Admin.	
Comp. Serv.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (44-50605)
FROM: SAC, BUFFALO (44-592) (P)



Inmates of Attica - VICTIMS
CR
(OO: BUFFALO)

Re Buffalo airtel to the Bureau, dated 12/13/73.

Enclosed for the Bureau is the original and three copies of an LHM regarding captioned matter.

One copy of this LHM has been furnished to the United States Attorney, Western District of New York, Buffalo, New York.

LEAD

BUFFALO

EX-110

JAN 3 1974

AT BUFFALO, NEW YORK

Will maintain contact with Assistant United States Attorney [redacted] Western District of New York, in order to follow and report further court proceedings in this matter.

ENCLOSURE

2 - Bureau (Encs. 4) (AM)

2 - Buffalo

JLB:pjc

(4)

ICRD 0-70(F)
ICRU JJB:njg
1/2/74

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

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b7C

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b7C



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Buffalo, New York
December 21, 1973



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Inmates of Attica - VICTIMS
CIVIL RIGHTS

On December 21, 1973, Assistant United States Attorney (AUSA) [redacted] Western District of New York, Buffalo, New York, advised that on December 20, 1973, court proceedings had been held regarding this matter in United States District Court, Buffalo, New York. Not Guilty pleas were entered for both subjects; and January 10, 1974, was set as a returnable date for any motions the United States Government or the defense council in this matter wish to make; and therefore, AUSA [redacted] anticipates the next court appearance in this matter will occur on that date.

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AUSA [redacted] advised that due to the fact that he intends to move that the current defense attorney should disqualify himself, he felt that there would be a lengthy delay before any trial in this matter, adding that new defense attorneys would be given considerable time to review pertinent items in preparation for defense of their clients.

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recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

44-50605-186

- 1* -

F B I

Date: 1/17/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)
FROM: SAC, BUFFALO (44-592) (P)

INMATES OF ATTICA - VICTIMS
CR
(OO: BUFFALO)

Re Buffalo airtel to the Bureau, dated 12/21/73; and
Buffalo nitel to Alexandria, dated 1/16/74 (IO).

Enclosed for the Bureau is the original are three
copies of an LHM regarding captioned matter.

One copy of this LHM has been furnished to the United
States Attorney, Western District of New York, Buffalo, New
York.

One copy of the LHM is enclosed for Alexandria for
information.

Appropriate lead has been set forth for Alexandria
to interview former ACR Superintendent VINCENT R. MANCUSI by
second referenced communication.

2 - Bureau (Encs. 4) (AM)
1 - Alexandria (Enc. 1) (44-134) (Info) (AM)
2 - Buffalo
JLB:pjc (5)

9 JAN 21 1974

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will maintain contact with AUSA [REDACTED]
Western District of New York, in order to follow and report
further court proceedings in this matter and conduct any
investigation requested.

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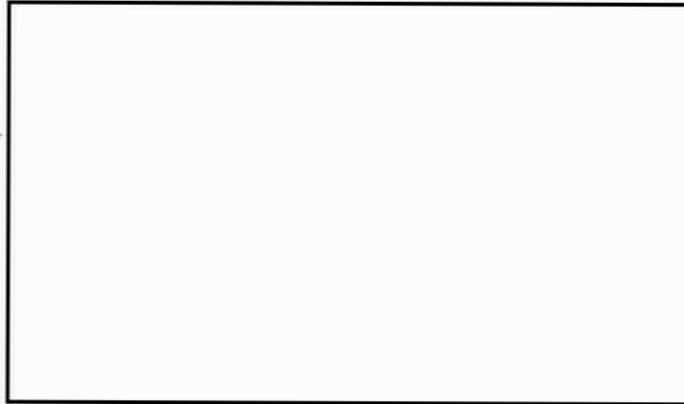


In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York
January 17, 1974



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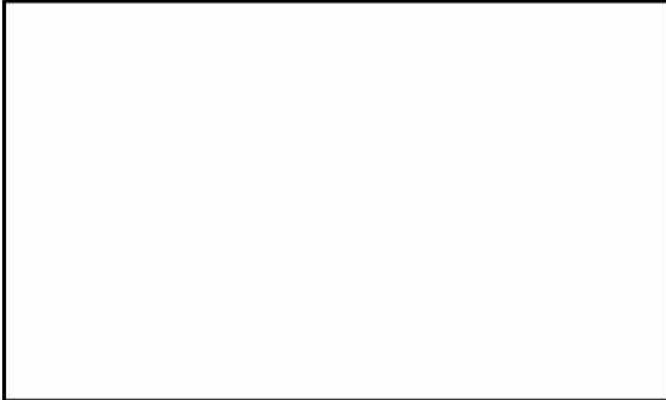
INMATES OF ATTICA - VICTIMS
CIVIL RIGHTS

On January 10, 1974, Assistant United States Attorney (AUSA) [redacted] Western District of New York, Buffalo, New York, advised that he had prepared an Order to Show Cause why VINCENT R. MANCUSI, Superintendent, Attica Correctional Facility (ACF), Attica, New York, September, 1971, should not be given notice under Rule 42 of Federal Rules of Criminal Procedure, that he should not be held in contempt of court regarding his failure to appropriately disseminate to employees of ACF a court order issued by Judge JOHN T. CURTIN, Western District of New York, Buffalo, New York, on December 14, 1971. This court order prohibited MANCUSI, all employees of ACF, and State police officials from committing acts of brutality against inmates of ACF and threatening, authorizing, permitting, or sanctioning such conduct. This court order was amended by stipulation December 22, 1971, to include the same persons and prohibiting them from using "verbal abuse and racial slurs" against inmates of ACF.

44-50605-187

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recommendations nor conclusions of
the FBI. It is the property of
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distributed outside your agency.

ENCLOSURE



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INMATES OF ATTICA - VICTIMS
CIVIL RIGHTS

AUSA [] advised that he had met in the chambers of Judge CURTIN on January 10, 1974, with defense counsel in this matter, JOHN STENGER, and that another meeting had been scheduled for the following day to give STENGER an opportunity to review this proposed Order to Show Cause.

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On January 17, 1974, AUSA [] advised that the proposed meeting as above on January 11, 1974, had been postponed until January 14, 1974, and again until January 15, 1974. AUSA [] stated that on January 15, 1974, Judge CURTIN decided not to sign the above order and that he set January 17, 1974, as the date to hear any motions in this matter prior to setting a trial date.

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[] pointed out that in view of the above, the Government will have to establish that former Superintendent MANCUSI, who is now retired, did, in fact, disseminate the contents of the above-described court order to subjects, and that they were cognizant of its contents. [] stated that in view of this, he would request the expeditious interview of former Superintendent MANCUSI and any other officials of ACF who may have disseminated the pertinent information to subjects.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 2/25/74	INVESTIGATIVE PERIOD 1/24/74 - 2/20/74
TITLE OF CASE CHANGED		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 20px;"></div>	TYPED BY :pjc

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CHARACTER OF CASE

CR

INMATES OF ATTICA - VICTIMS

Title is marked "Changed" to add the middle initial of subjects

EXP. PROC. #37

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED RHA	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES BELOW
COPIES MADE: 2 - Bureau (44-50605) 1 - USA, Buffalo 1 - Albany (44-737) (Info) 1 - Alexandria (44-134) (Info) 2 - New York (44-2086) 2 - Pittsburgh (44-1022) 2 - Buffalo (44-592)		44-50605-188 MCT-36 REC-87 CH 41 MARCH 4 7 FEB 27 1974 McDONOUGH SIX DATE/PROC
Dissemination Record of Attached Report Agency Request Recd. Date Fwd. How Fwd. By		Notations 7 0 MAR 1 2 1974

BU 44-592

REFERENCES: Buffalo airtel to the Bureau, dated 1/17/74.
Alexandria nitel to Pittsburgh, dated 1/17/74 (IO).
Pittsburgh nitel to Alexandria, dated 1/21/74 (IO).
Alexandria nitel to Buffalo, dated 1/22/74 (IO).
Buffalo airtel to Albany, dated 1/30/74 (IO).
Alexandria nitel to Buffalo, dated 2/11/74 (IO).
Albany airtel to Buffalo, dated 2/21/74 (IO).

- P -

LEADS

NEW YORK

AT STORMVILLE, NEW YORK

Will interview LEON J. VINCENT, Superintendent, Green Haven Correctional Facility, to determine his knowledge of the dissemination of U. S. District Court Judge JOHN T. CURTIN's order of 12/14/71.

PITTSBURGH

AT PITTSBURGH, PENNSYLVANIA

Will interview VINCENT R. MANCUSI, 523 Siesta Court, noting that he was Superintendent at Attica Correctional Facility (ACF), Attica, New York, in December, 1971, and determine same information as above lead for New York.

BUFFALO

AT BUFFALO, NEW YORK

(1) Will recontact [redacted] in an effort to secure document allegedly containing initials of shift commanders at ACF indicating they read pertinent court order at roll call in December, 1971.

(2) Will maintain contact with AUSA [redacted] WDNY, advising him of results of investigation conducted on an expeditious basis.

- B -
COVER PAGE

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BU 44-592

ADMINISTRATIVE:

All persons interviewed during this investigation were advised that it was being conducted at the specific request of the United States Department of Justice.

Information copies of this report are being furnished to Albany and Alexandria in view of past investigation conducted by these divisions in this matter.

It is noted that AUSA [REDACTED] WDNY, Buffalo, New York, who is currently handling this matter has been advised on a same-day or next-day basis of the results of investigation conducted in this matter.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of:

Office: Buffalo, New York

Date:

2/25/74

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b7c

Field Office File #:

44-592

Bureau File #: 44-50605

Title:

INMATES OF ATTICA - VICTIMS

Character: CIVIL RIGHTS

Synopsis: AUSA, WDNY, Buffalo, New York, requested investigation be conducted to determine how dissemination was made by officials of Attica Correctional Facility (ACF), Attica, New York, of a court order issued by U.S. District Court Judge JOHN T. CURTIN, WDNY, Buffalo, New York, on 12/14/71, and amended by stipulation on 12/22/71, which prohibited employees of ACF and New York State Police officials from committing acts of brutality against inmates of ACF and using verbal abuse and racial slurs against these persons. Investigation discloses that on 12/15/71, Superintendent VINCENT R. MANCUSI, ACF, dictated to his secretary a memorandum indicating copies of court order be distributed to all employees of ACF beginning 12/15/71 at 2:45 P.M.; however, distribution pattern or persons involved in it undetermined. One Lieutenant at ACF recalls something similar to MANCUSI's memorandum and possibly a short synopsis of court order on employees bulletin board in December, 1971.

BU 44-592

Synopsis: (Con't)

This Lieutenant and a Sergeant recall the order being read at shift changes for a 72-hour period in December, 1971, and that each shift commander reading order had initialled and dated a copy to indicate that they had done so. Efforts to locate this document negative to date. [redacted]

[redacted] worked at least one shift during pertinent 72-hour period, which probably required his presence at roll call when order was read. His presence at roll call depended on his specific job assignment on that day, which cannot be determined. [redacted]

as an employee at ACF determined to be IZ7Z777I. Investigation to establish new officers advised of court order or given copy of it negative.

- P -

Details:

On January 17, 1974, Assistant United States Attorney [redacted] Western District of New York, Buffalo, New York, was contacted and advised that he had appeared in United States District Court, Buffalo, on this date, at which time various pre-trial motions were argued. [redacted] advised the next court appearance for this matter would be January 24, 1974.

By communication dated January 17, 1974, the Alexandria Division of the Federal Bureau of Investigation (FBI) advised that attempts to locate former Attica Correctional Facility (ACF) Superintendent VINCENT R. MANCUSI at his residence, 6927 Conservation Drive, Springfield, Virginia, on January 17, 1974, had met with negative results. Through investigation, it was determined that the MANCUSIs had left the area January 12, 1974, for an unknown destination [redacted]

[redacted]
[redacted]
Pennsylvania, [redacted]
the MANCUSI's itinerary.

BU 44-592

By communication dated January 21, 1974, the Pittsburgh Division of the FBI advised that [redacted] had been contacted and advised that [redacted] Mr. and Mrs. VINCENT R. MANCUSI, were on an extended trip through the southern States and that their exact location was unknown. [redacted] advised that [redacted] were due to return to their residence at Springfield, Virginia, in approximately three weeks.

On January 24, 1974, Assistant United States Attorney [redacted] was recontacted and requested that a search be made of any records available to the FBI to determine if [redacted] had ever in the past been arrested. [redacted] stated that he did not desire local law enforcement officials in the Attica, New York, area to be contacted regarding this request.

On January 25, 1974, [redacted] ACF, Attica, New York, was contacted and advised that [redacted]

On January 25, 1974, Assistant United States Attorney [redacted] was recontacted and requested interviews of [redacted] stated that records available to him disclose that [redacted] ACF; and that [redacted] ACF. [redacted] stated that interviews are to determine dissemination of pertinent court order regarding this matter. [redacted] added that with regard to the interview of VINCENT R. MANCUSI, former ACF Superintendent, he desired MANCUSI be advised of his rights regarding interview since there seems to exist the possibility proper dissemination of the order was not made.

On January 31, 1974, [redacted] was recontacted and was advised of the results of investigation conducted with regard to his prior requests. [redacted] then requested that three or four correction officers who reported at ACF for their first day of employment with [redacted] be interviewed to determine how they learned of pertinent court order and if they recall ever having it read to them or having a copy of it given to them.

BU 44-592

On February 7, 1974, [] was again contacted and advised that on this date, the attorney representing defendants in this matter had argued for a dismissal of pending contempt of court charges and that presiding United States District Court Judge JOHN T. CURTIN had not made a decision in this matter regarding possible dismissal and had set the next court appearance in this matter for February 14, 1974.

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On February 10, 1974, the Buffalo, New York, Office of the FBI was advised by communication that a search of the Identification Division of the FBI to ~~locate any previous criminal~~ record regarding [] had met with negative results.

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On February 11, 1974, the Alexandria Division of the FBI advised by communication that Mrs. VINCENT R. MANCUSI had been telephonically contacted in an effort to make an appointment for the interview of her husband. Mrs. MANCUSI stated that she and her husband were merely stopping briefly at their residence and were to leave shortly for Pittsburgh, Pennsylvania, where her mother is critically ill and under intensive care. Mrs. MANCUSI refused request for interview, stating that her husband had left the house momentarily to secure gas for their vehicle and that upon his return, they would be leaving.

On February 14, 1974, Assistant United States Attorney [] was recontacted and advised that on this date, United States District Court Judge JOHN T. CURTIN had refused defendants' attorneys' motion to dismiss pending charges. [] commented that Judge CURTIN did not set a date for the next court appearance in this matter.

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/5/74

[redacted]
[redacted] Attica Correctional Facility (ACF), was contacted and was advised that investigation was being conducted in an effort to determine if a court order issued by United States District Court Judge JOHN T. CURTIN, Western District of New York, Buffalo, New York, on December 14, 1971, and an amendment to this order issued December 22, 1971, had been disseminated to employees of ACF.

[redacted] stated that during December, 1971, she held the same position at ACF as she now holds and that at this time, VINCENT R. MANCUSI was the Superintendent of ACF.

[redacted] advised that also at this time, [redacted]

[redacted] VINCENT
[redacted] Superintendent for Green Haven Correctional Facility, Stormville, New York, and that PFEIL is the Director of Youth Camps, Department of Correctional Services, Albany, New York. Next in command during this period was Captain [redacted] by inmates of ACF September 9-13, 1971, retired soon after the riot, and never returned to work. Further, next in command was Lieutenant [redacted] and did not return to work until January or February, 1972.

Regarding the distribution of the above orders, [redacted] furnished contacting Agent, after reviewing her files, a copy of a memorandum dated December 15, 1971, addressed "To Whom This May Concern:" and signed VINCENT R. MANCUSI, Superintendent. [redacted] also provided a copy of one page headed "Notice" dated December 14, 1971, and signed JOHN T. CURTIN, United States District Judge. In addition, [redacted] provided one copy of three pages consisting of a court order dated December 14, 1971, and signed JOHN T. CURTIN, United States District Judge.

Regarding the above documents, [redacted] stated, after reviewing her stenographer's notebook, that she had typed the above memorandum of MANCUSI, even though her initials do not appear on this memorandum. When it was

Interviewed on 1/24/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] pic [redacted] Date dictated 1/30/74

- 5 -

pointed out to [] that it appears she only had a copy of ~~this memorandum~~ and when asked where did ~~the~~ original go to, [] advised that she did not know. [] further advised that she did not know who this memorandum was given to, where the original currently is, or for what purpose the memorandum was actually typed.

[] commented that it would appear from the contents of the memorandum that possibly copies of the above documents were placed on the bulletin board with the original of the memorandum. This bulletin board would be the main one which is located in the lobby area of the Administration Building, and which is available to all employees. [] further commented that since the stated time in the memorandum is 2:45 P.M., and since shift change at the institution is at this same time on a daily basis, copies of the above documents could have been handed out at roll call or they may have been read. [] further commented that copies of the above documents could have been handed out with paychecks, but then checked and determined that December 15, 1971, was not a payday, and therefore, did not feel the above occurred.

[] advised that she did not recall specifically how the court order was disseminated and if she, as an employee, ever got a copy of it.

[] was then asked who at the facility would be a logical person to talk to in an effort to determine how the order was distributed or disseminated. [] suggested that possibly Lieutenant [] might be able to provide pertinent information.

[] also provided contacting Agent with a copy of a memorandum dated April 10, 1972, signed ERNEST L. MONTANYE, and addressed to [] This memorandum directed [] to attach to each employee's paycheck at ACF a copy of a letter address "To All Employees:", dated April 11, 1973, and signed ERNEST L. MONTANYE, Superintendent. [] provided contacting Agent with a copy of this letter. Copies of all of the above documents provided by [] are being made a part of this interview report.

It is noted that [] local residence is []
[] New York, telephone number []

BU 44-592

-3-

Superintendent

December 15, 1971

TO WHOM THIS MAY CONCERN:

In accordance with the orders contained in the decision of the Honorable John T. Curtin, U. S. District Judge in the case CEV 1971-410, copies of this order were made and distributed to all employees of the Attica Correctional Facility, with distribution starting at 2:45 p.m. on December 15, 1971 and will continue until all employees are in receipt of a copy of the previously mentioned order.

Vincent R. Mancusi
Superintendent

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

INMATES OF THE ATTICA CORRECTIONAL
FACILITY, et. al.,

Plaintiffs

vs.

NOTICE

Civ. 1971-410

NELSON ROCKEFELLER, Governor, State
of New York, et. al.,

Defendants

Several inmates of the Attica Correctional Facility have started an action against State officials in the United States District Court for the Western District of New York. They complain of mistreatment by State personnel in the period beginning September 13, 1971.

The inmates have been allowed to sue on their own behalf and on behalf of all inmates at the Attica Correctional Facility, including you. If you do not wish to be part of this action, you should write a letter to Judge John T. Curtin, 614 United States Court House, Buffalo, New York 14202, stating that you do not want to take part in the suit.

The Court has ordered that the defendants, their agents and employees, including State Police and Department of Correctional Services personnel, be immediately prohibited and enjoined from subjecting inmates at the Attica Correctional Facility to physical abuse, torture, beatings or other forms of brutality, including verbal abuse and racial slurs, from threatening such conduct or from authorizing, sanctioning or permitting such conduct."

The Court will continue to exercise jurisdiction in the action.

/s/ John T. Curtin

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF NEW YORK

INMATES OF THE ATTICA CORRECTIONAL FACILITY [REDACTED]

[REDACTED]
on behalf of themselves and all other persons similarly
situated,

Plaintiffs

-vs-

NELSON ROCKEFELLER, GOVERNOR, STATE OF NEW YORK: RUSSELL
G. OSWALD, COMMISSIONER OF CORRECTIONAL SERVICES OF THE
STATE OF NEW YORK: VINCENT MANCUSI, SUPERINTENDENT, ATTICA
CORRECTIONAL FACILITY: ROBERT E. FISCHER, DEPUTY ATTORNEY
GENERAL,

Defendants

APPEARANCES: [REDACTED] Buffalo, New
York, for the Plaintiffs.

Louis J. Lefkowitz, Attorney General
of the State of New York (John H.
Stenger, Special Assistant to the
Attorney General), for the Respondent.

This matter having been remanded to this
Court by the Court of Appeals for the Second Circuit,
it is hereby

ORDERED that the defendants, their agents and employees, including State Police and Department of Correctional Services personnel, are immediately prohibited and enjoined from subjecting inmates at the Attica Correctional Facility to physical abuse, torture, beatings or other forms of brutality, from threatening such conduct or from authorizing, sanctioning or permitting such conduct; and it is further

ORDERED that plaintiffs be permitted to maintain as a class action their claim for injunctive relief against brutality; and it is further

ORDERED that defendants immediately give notice of this order to each of their agents and employees at the Attica Correctional Facility; and it is further

ORDERED that the following notice be reproduced by plaintiffs and be distributed within twenty-four hours of receipt by defendants to each inmate of

Several inmates of the Attica Correctional Facility have started an action against State officials in the United States District Court for the Western District of New York. They complain of mistreatment by State personnel in the period beginning September 13, 1971.

The inmates have been allowed to sue on their own behalf and on behalf of all inmates at the Attica Correctional Facility, including you. If you do not wish to be part of this action, you should write a letter to Judge John T. Curtin, 614 United States Court House, Buffalo, New York, 14202, stating that you do not want to take part in the suit.

The Court has ordered that the defendants, their agents and employees, including State Police and Department of Correctional Services personnel, be immediately prohibited and enjoined from subjecting inmates at the Attica Correctional Facility to physical abuse, torture, beatings or other forms of brutality, from threatening such conduct or from authorizing, sanctioning or permitting such conduct.

John T. Curtin

UNITED STATES DISTRICT JUDGE

Dated: December 14, 1971

XXXXXX CORRECTIONAL FACILITY

Superintendent

BU 44-592

-8-

April 10, 1973

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Dear [REDACTED]

Please attach one of the enclosed copies of Judge Curtin's order relative to "harrasment" of inmates of this facility to each employee pay check for the period ending Wednesday, April 11, 1973.

You will note that I have enclosed additional copies, please transmit one of these copies to each new employee hired at this facility, either temporary, provisional or permanent.

When you have accomplished notifying all present employees, as I have indicated, please inform me in writing that this has been done.

Thank you very much for your cooperation.

Ernest L. Montanye
Superintendent

ELM/cas
enc.

OFFICE OF SUPERINTENDENT
ATTICA CORRECTIONAL FACILITY

April 11, 1973

TO ALL EMPLOYEES:

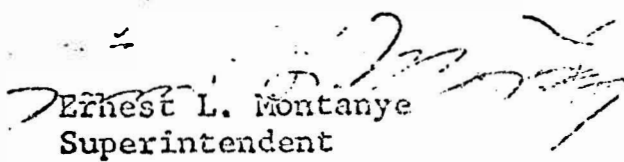
On December 15, 1971 former Superintendent Vincent R. Mancusi distributed copies of a decision by the Honorable John T. Curtin, United States District Judge, in Civ. Case 1971-410.

At this time I am making a redistribution of this order because of the time involved since this order and because of the tremendous turnover of personnel since that time.

Please note that this order reads in part as follows:

"The Court has ordered that the defendants, their agents and employees, including State Police and Department of Correctional Services personnel, be immediately prohibited and enjoined from subjecting inmates at the Attica Correctional Facility to physical abuse, torture, beatings or other forms of brutality, including verbal abuse and racial slurs, from threatening such conduct or from authorizing, sanctioning or permitting such conduct."

Any persons desiring a complete copy of this order may obtain same from the Superintendent's Office on request.


Ernest L. Montanye
Superintendent

ELM/cas

FEDERAL BUREAU OF INVESTIGATION

BU 44-592

-1-

Date of transcription 2/5/74

Lieutenant [redacted]

[redacted] Attica Correctional Facility (ACF), and was advised that investigation was being conducted in an effort to determine how a court order issued by United States District Court Judge JOHN T. CURTIN, Western District of New York, Buffalo, New York, on December 14, 1971, had been distributed or disseminated to employees of ACF.

[redacted] was then exhibited a copy of a memorandum, dated December 15, 1971, addressed "To Whom This May Concern:", and signed VINCENT R. MANCUSI, Superintendent. [redacted] was also exhibited one copy each of a "Notice," dated December 14, 1971, and signed JOHN T. CURTIN, United States District Judge, and a court order consisting of three pages, dated December 14, 1971, and signed JOHN T. CURTIN, United States District Judge.

[redacted] stated that he distinctly recalls something of the above nature being on the employee's bulletin board in the lobby of the Administration Building at ACF during December, 1971. [redacted] added that he could not be sure that it was the same documents that he was exhibited and pointed out that the documents on the bulletin board explained to employees that a court order had been issued prohibiting them from physical abuse of inmates at ACF.

[redacted] further recalled that something very similar as the documents exhibited to him and specifically the court order, dated December 14, 1971, was read to all employees at roll call for a 72-hour period. [redacted] could not definitely recall that this procedure started on December 15, 1971, but it would appear that this is, in fact, what occurred by virtue of the contents of the memorandum that was exhibited to him.

[redacted] could provide no other pertinent information. however, commented that [redacted]

[redacted] ACF during the above period [redacted] ACF during the above period both might be able to provide pertinent information.

Interviewed on 1/24/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] pjc Date dictated 1/30/74

- 14 -

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

1.Date of transcription 2/21/74

Mr. KARL P. PFEIL, Director of Correctional Camps, New York State Department of Correctional Services, furnished the following information:

In December, 1971, he was Deputy Superintendent of the Attica Correctional Facility (ACF), Attica, New York. He recalls seeing a court order issued by United States District Judge, JOHN T. CURTIN, wherein individuals connected with the ACF were prohibited and enjoined from subjecting inmates at the ACF to physical abuse, torture, beatings, or other forms of brutality, including verbal abuse and racial slurs, from threatening such conduct or from authorizing, sanctioning or permitting such conduct. He recalls that copies of this order were made and disseminated to employees of the ACF, which was his responsibility to have this order disseminated, but he does not specifically recall having done this.

Roll call records for December, 1971, might have a copy of this order attached to them. If this were the case, the initials of the supervisor making the roll call should be on the copy of the attached order. These roll call records should be in the Chart Office at the ACF.

Interviewed on 2/15/74 at Albany, New York File # AL 44-737
Buffalo 44-592

by SA /dao Date dictated 2/21/74

- 15 -

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

BEST COPY AVAILABLE

Date of transcription 2/7/74

[redacted] Correction Officer, was contacted at his place of employment, Attica Correctional Facility (ACF). [redacted] was advised that investigation was being conducted in an effort to determine how a court order issued by United States District Court Judge JOHN T. CURTIN, Western District of New York, Buffalo, New York, on December 14, 1971, was distributed or disseminated to employees at ACF. [redacted] advised that [redacted] ACF and has had [redacted]

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[redacted] stated, after reviewing records in his control and custody, that [redacted]

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b7C

[redacted] further commented that Officer [redacted] ACF was [redacted]

[redacted] Auburn Correctional Facility, Auburn, New York. [redacted] commented that [redacted] with 24 other new officers, and that this would have been all of these persons first day on the job at ACF.

According to [redacted] records, [redacted] worked December 17, 1971, from 7:00 A.M. to 3:00 P.M. but had regular days off on December 15 and 16, 1971. After checking payroll records and time cards, [redacted] further advised that it appears [redacted] also worked eight hours during December 16, 1971, and explained that many officers were working an eight hour shift on their regular days off since this period of time was just subsequent to a riot by inmates at ACF; and additional manpower was needed. [redacted] did not know and could not ascertain from his records which shift [redacted] worked on December 16, 1971.

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[redacted] commented that as far as he could recall, [redacted]

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[redacted] ACF on December 21, 1971, and therefore suggested [redacted]

Interviewed on 1/30/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] ajc Date dictated 2/5/74

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- 16 -

BU 44-592

-2-

that possible Sergeant [] commanded the new men on that day and among other things, made them aware of Judge CURTIN's order as above. [] could furnish no other pertinent information.

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

Sergeant [] Correction Officer, was contacted at his place of employment, Attica Correctional Facility (ACF). It is noted that [] has been a Correction Officer for approximately the past 25 years. [] was advised that investigation was being conducted in an effort to determine how a court order issued by United States District Court Judge JOHN T. CURTIN, Western District of New York, Buffalo, New York, dated December 14, 1971, was distributed or disseminated to employees of ACF.

[] stated that [] for ACF but did assume these duties some time later in 1972. [] stated that Lieutenant [] during the above period of time, and that Lieutenant [] Albion Correctional Facility, Albion, New York.

[] advised that he specifically recalls that the above court order was read by all shift commanders at ACF for a 72-hour period and that this, in fact, is standard procedure to disseminate matters of this nature or any other orders which the Superintendent directs. [] further specifically recalled that each shift commander had initialed and dated a document indicating that they read the order. After thoroughly searching appropriate files in order to find a copy of the above initialed document, [] stated that he was unable to locate it and added that he has previously found it and either gave the actual document or a copy thereof to [] the State of New York Attorney General's Office and is located in Buffalo, New York.

[] could not specifically recall that this reading by shift commanders occurred in December, 1971, but thought that it had, and commented that he had probably occurred right after the receipt of the order by the institution.

Interviewed on 1/30/74 at Attica, New York File # Buffalo 44-592

by SA [] pjc Date dictated 2/5/74

- 18 -

BU 44-592

-2-

stated that he could not recall any other Correction Officer who might further be able to recall how the order was disseminated and could provide no further pertinent information.

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

Lieutenant [] Correction Officer, Albion Correctional Facility, Albion, New York, was telephonically contacted at his place of employment and was advised that investigation was being conducted in an effort to determine how a court order issued by United States District Court Judge JOHN T. CURTIN, Western District of New York, Buffalo, New York, on December 14, 1971, was distributed or disseminated to employees of ACF.

Lieutenant [] advised that during December, 1971, [] Attica Correctional Facility (ACF), and that among his duties at that time was to talk before all new correction officers who reported to ACF. In regard to this [] advised that if he worked on December 27, 1971, he would have talked to a group of new correction officers reporting on that date. [] advised that on this occasion, he could have given them each a copy of the above order or he could have explained before the group the contents of the order, but he could not specifically remember having done either. [] could not further specifically recall having a set procedure regarding advising new employees of the above order. [] could furnish no further specific or pertinent information.

Interviewed on 1/30/74 at Attica, New York File # Buffalo 44-592

by SA [] :pjc Date dictated 2/5/74

- 20 -

FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

Sergeant [redacted] Attica Correctional Facility (ACF), was contacted at his place of employment and was advised that investigation was being conducted regarding how a court order issued by United States District Court Judge JOHN T. CURTIN, Western District of New York, Buffalo, New York, on December 14, 1971, was distributed or disseminated to employees of ACF.

[redacted] advised normally the Chart Officer is responsible for the reading at roll call of each shift change any directives or orders which the Superintendent or other authority has directed toward Correction Officers.

After searching records available to Sergeant [redacted] he advised that on December 16, 1971, Correction Officer [redacted] worked the 7:00 A.M. to 3:00 P.M. shift in A Block of the Facility and that on December 17, 1971, [redacted] worked the same shift and was assigned to the lobby floor of the Administration Building. [redacted] advised that at that time, any officer assigned to the lobby floor of the Administration Building would not be present at roll call but would go directly to his post. Sergeant [redacted] further advised that some job assignments in A Block require the officer to go directly to his post while others do not, and therefore, would require the officer to be at roll call. [redacted] advised that there is no feasible way to determine where [redacted] was assigned in A Block on December 16, 1971, and if he was present at roll call or not. [redacted] advised that the Chart Officer on December 16, 1971, was Sergeant [redacted]

Interviewed on 1/31/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] pjc Date dictated 2/6/74

- 21 -

FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

Sergeant [redacted] was recontacted and was advised that according to records at Attica Correctional Facility (ACF), he was the [redacted] and that further, investigation disclosed that he would have been the most likely person to have read a court order issued by United States District Court Judge JOHN T. CURTIN on December 14, 1971 to officers on duty at roll call at 7:00 A.M. [redacted] then advised similarly as he had during prior interview, stating that he distinctly recalled the order being read by shift commanders at this time, and further distinctly recalled initialing and dating of a document to indicate that the order had been read. However, he still had been unable to locate this document.

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Interviewed on 1/31/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] pjc Date dictated 2/5/74

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- 22 -

FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

[redacted] New York State Attorney General's Office, Donovan Building, Suite D, was contacted and was advised that investigation was being conducted in an effort to determine how a court order issued by United States District Court Judge JOHN T. CURTIN, on December 14, 1971, was distributed or disseminated at Attica Correctional Facility (ACF) to employees. [redacted] was further advised that investigation had determined this order was possibly read at roll call by shift commanders on December 15, 16, and 17, 1971, and that a document had previously been given to him which exhibited initials of those shift commanders reading this document.

[redacted] distinctly recalled having found the above document and having had it in his possession during hearings in early 1973 which were held before United States Magistrate EDMUND F. MAXWELL, Buffalo, New York. [redacted] advised that he thought he still had this document and that he would search his records in order to find it and would later recontact Agent and provide him with a copy of same.

Interviewed on 2/4/74 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] pjc Date dictated 2/7/74

- 23 -

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

[redacted] Correction Officer, Time Records Section, Attica Correctional Facility (ACF), was contacted at his place of employment and advised that according to records maintained in his section of the prison, the following officers are the only ones who are still at ACF and who were among 25 officers who reported to the Facility for their first day on December 27, 1971:

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[redacted] commented that all of the above persons are currently at the Facility on this date, except [redacted] who is on a regular day off.

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Interviewed on 2/5/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] pjc Date dictated 2/6/74

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- 24 -

FEDERAL BUREAU OF INVESTIGATION

BU 44-592

-1-Date of transcription 2/8/74

[redacted] Correction Officer, Attica Correctional Facility (ACF), was contacted at his place of employment, and was advised that a court order was issued by United States District Court Judge JOHN T. CURTIN, Buffalo, New York, on December 14, 1971, which was directed to all employees at ACF and prohibited physical mistreatment of inmates at ACF. [redacted] was further advised that this order was amended by stipulation on December 22, 1971, to include a prohibition against the same persons from using "verbal abuse and racial slurs" against inmates of ACF. [redacted] was also advised that in the near future, there would be a trial to determine if Correctional Officer [redacted] is in violation of the above order, and therefore, in contempt of court. [redacted] was further advised that investigation indicated that he and [redacted] reported to ACF on the same date for their first day of employment, December 27, 1971. [redacted] was advised Agent wished to interview him regarding his knowledge of the above order and how he learned of it.

[redacted] stated that he knows [redacted] and recalled that they attended the New York State Police Academy at Albany, New York, together where they received training for their current positions. [redacted] further recalled that he had begun this training on December 6, 1971; however, he could not specifically recall what date in December was his first day at ACF.

[redacted] advised that he was familiar with the above court order and thought that he had first heard of it through the news media, either the newspaper or a radio news broadcast. [redacted] advised that he does not really remember when he heard of the above order but thought that he had been employed at ACF for "quite a while before I heard about it."

[redacted] was advised that the above information could become testimony in a trial situation. [redacted] is a white male, born [redacted] New York.

Interviewed on 2/5/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] ajc Date dictated 2/7/74

- 25 -

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

[redacted] Correction Officer, Attica Correctional Facility (ACF), was contacted at his place of employment, and was advised that a court order was issued by United States District Court Judge JOHN T. CURTIN, Buffalo, New York, on December 14, 1971, which was directed to all employees at ACF and prohibited physical mistreatment of inmates at ACF. [redacted] was further advised that this order was amended by stipulation on December 22, 1971, to include a prohibition against the same persons from using "verbal abuse and racial slurs" against inmates at ACF. [redacted] was also advised that in the near future, there would be a trial to determine if Correctional Officer [redacted] is in violation of the above order, and therefore, in contempt of court. [redacted] was further advised that investigation indicated that he and [redacted] reported to ACF on the same date for their first day of employment. [redacted] was advised Agent wished to interview him regarding his knowledge of the above order and how he learned of it.

[redacted] stated that he knows [redacted] that they attended the New York State Police Academy at Albany, New York, together beginning December 6, 1971, for training for their current positions. [redacted] further recalled that his first day at ACF was December 27, 1971, and could not recall whether or not Lieutenant [redacted] spoke to the new group of officers on December 27, 1971. [redacted] also stated that he could not recall ever having had the above court order read to him by anyone.

When asked when he first heard of the above court order, [redacted] stated that it was "months after my first day, I think in the beginning of 1973 or late 1972." [redacted] pointed out that around this time, either with his paycheck or time card, he received a document describing the above order and indicating what it prohibited. [redacted] further commented that approximately one year ago, something was read at officers roll call which described the above order and what it prohibited.

Interviewed on 2/5/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] :pjc Date dictated 2/7/74

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BU 44-592

-2-

[redacted] was advised that the above information could become testimony during a trial situation. [redacted] is a white male, born [redacted] [redacted] New York.

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

[redacted], Correction Officer, Attica Correctional Facility (ACF), was contacted at his place of employment, and was advised that a court order was issued by United States District Court Judge JOHN T. CURTIN, Buffalo, New York, on December 14, 1971, which was directed to all employees at ACF and prohibited physical mistreatment of inmates at ACF. [redacted] was further advised that this order was amended by stipulation on December 22, 1971, to include a prohibition against the same persons from using "verbal abuse and racial slurs" against inmates at ACF. [redacted] was also advised that in the near future, there would be a trial to determine if Correctional Officer [redacted] is in violation of the above order, and therefore, in contempt of court. [redacted] was further advised that investigation indicated that he and [redacted] reported to ACF [redacted]

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[redacted] was advised Agent wished to interview him regarding his knowledge of the above order and how he learned of it.

[redacted] advised that he knows [redacted] and recalled that he attended the New York State Police Academy at Albany, New York, with [redacted] beginning December 6, 1971, for training for his current position. [redacted] further

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[redacted] ACF [redacted] [redacted] advised that he first heard of the above order through conversation with other correctional officers. [redacted] pointed out that his first assignment at ACF was with "Six Company," which, at that time, contained inmates who [redacted] described were those persons who were suspected of committing criminal acts during the riot by inmates at ACF in September, 1971. [redacted] could not further specifically comment on how many days he had been employed before he heard of the above order, but stated that it was right after he began employment.

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[redacted] stated that he did not receive anything in writing regarding the above order until about the Fall of

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Interviewed on 2/5/74 at Attica, New York File # Buffalo 44-592
by SA [redacted] pic Date dictated 2/7/74

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BU 44-592

-2-

1972, when he received a document with his time card which described the order and what it prohibited.

[redacted] advised that he could not recall having the above order read to him on his first day of employment or ever having it read to him.

[redacted] was advised that the above information could become testimony in a trial situation. [redacted] is a white male, born [redacted]

[redacted] New York.

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/7/74

[redacted] Correction Officer, Attica Correctional Facility (ACF), was contacted at his place of employment, and was advised that a court order was issued by United States District Court Judge JOHN T. CURTIN, Buffalo, New York, on December 14, 1971, which was directed to all employees at ACF and prohibited physical mistreatment of inmates at ACF. [redacted] was further advised that this order was amended by stipulation on December 22, 1971, to include a prohibition against the same persons from using "verbal abuse and racial slurs" against inmates at ACF. [redacted] was also advised that in the near future, there would be a trial to determine if Correctional Officer [redacted] is in violation of the above order, and therefore, in contempt of court. [redacted] was further advised that investigation indicated that he and [redacted] reported to ACF [redacted]

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[redacted] was advised Agent wished to interview him regarding his knowledge of the above order and how he learned of it.

[redacted] advised that he knows [redacted] and that they attended the New York State Police Academy in Albany, New York, together, receiving training for their current positions. [redacted] further advised he recalled that his first day at ACF was December 27, 1971.

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[redacted] inquired of contacting Agent what generally the above court order prohibited and was told by contacting Agent that the order prohibited physical mistreatment of inmates at ACF, as well as verbal abuse, such as calling them racial type names. [redacted] then commented that at the New York State Police Academy at Albany, New York, when he received training for his current position, he had learned that he was to use force only against inmates in a self-defense situation.

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[redacted] advised that he could not recall with any certainty when he first heard of the above court order, but guessed that he had been at ACF for approximately nine months before he heard of it. When asked how he heard of

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Interviewed on 2/5/74 at Attica, New York File # Buffalo 44-592

by SA [redacted] :pic Date dictated 2/7/74

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- 30 -

BU 44-592

-2-

the above order, [] stated that he thought it was through conversation with other correction officers. [] could not further recall if the order had ever been read to him or a synopsis of it. [] did point out, however, that many directives, instructions, or orders which are issued by the Superintendent are read to officers at roll call and that the above order could have been one of these; but [] did not specifically recall. [] could not further recall if he had ever received a synopsis of the above order or a copy of it with his time card or paycheck, but again pointed out that announcements are distributed in this manner.

[] was advised that the above information could become testimony in a trial situation. [] is a white male, born [] [] NEW YORK.

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/25/74

[redacted] Senior Law Investigator, New York State Attorney General's Office, Donovan Building, was recontacted. [redacted] advised that he still believes the document containing initials of shift commanders at Attica Correctional Facility (ACF) indicating they had read a court order in December, 1971, at shift change, is in the possession of JOHN STENGER, Attorney at Law, Buffalo, New York, who is currently representing Correctional Officers [redacted] continued that he had contacted STENGER in an effort to secure this document and that Mr. STENGER has not recontacted him. [redacted] assured contacting Agent that he would locate this document and provide a copy of it. [redacted] indicated that Mr. STENGER, due to numerous commitments, has probably not had an opportunity to search for the requested document.

[redacted] pointed out that the possibility exists the pertinent document may be in the possession of United States Magistrate EDMUND F. MAXWELL since it could have been introduced as an exhibit during hearings held in this matter previously before the Magistrate. [redacted] concluded by stating that he would recontact Mr. STENGER and continue his efforts to secure the requested document.

Interviewed on 2/20/74 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] :pjc Date dictated 2/25/74

- 32 -

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FEDERAL BUREAU OF INVESTIGATION

BU 44-592

Date of transcription 2/25/74

United States Magistrate EDMUND F. MAXWELL, U. S. Court House, was contacted and was advised that contacting Agent was attempting to secure a document allegedly containing initials of shift commanders at Attica Correctional Facility (ACF), Attica, New York, indicating that they had read at shift change a court order which had previously been issued by United States District Court Judge JOHN T. CURTIN in December, 1971.

After reviewing records available to the Magistrate, he advised that no document as above was marked for exhibit or introduced as an exhibit during hearings which he held regarding this matter.

Interviewed on 2/20/74 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] :pje Date dictated 2/25/74

- 33* -

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUFFALO	OFFICE OF ORIGIN BUFFALO	DATE 3/22/74	INVESTIGATIVE PERIOD 2/25/74 - 3/22/74
TITLE OF CASE <div style="border: 1px solid black; height: 150px; width: 100%;"></div>		REPORT MADE BY <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	TYPED BY :ph
		CHARACTER OF CASE CR	

INMATES OF ATTICA - VICTIMS

REFERENCES: Report of SA dated 2/25/74
 at Buffalo.
 New York nitel to Buffalo, dated 2/25/74 (IO).
 Pittsburgh airtel to Buffalo, dated 2/25/74 (IO).
 New York nitel to Buffalo, dated 3/4/74 (IO).
 New York airtel to Buffalo, dated 3/5/74 (IO).
 Pittsburgh nitel to Buffalo, dated 3/14/74 (IO).

- P -

EXP. PROC.

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
						PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

*R H Agw*SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- ② Bureau (44-50605)
 1 - USA, Buffalo
 2 - Alexandria (44-134)
 1 - New York (44-2086) (Info)
 1 - Pittsburgh (44-1022) (Info)
 2 - Buffalo (44-592)

*CRD***44-50605-189****REC-112**

47
7 MAR 25 1974

McDONOUGH

SIX
DATA PROC

Dissemination Record of Attached Report

Notations

Agency	<i>CUU</i>		
Request Recd.			
Date Fwd.	<i>3/28/74</i>		
How Fwd.	<i>070 (B)</i>		
By	<i>CEM</i>		

80 APR 8 1974

COVER PAGE

BU 44-592

LEADS

ALEXANDRIA

AT SPRINGFIELD, VIRGINIA

Will interview VINCENT R. MANCUSI, 6927 Conservation Drive, as set forth in referenced Pittsburgh nitel, dated 3/14/74.

BUFFALO

AT BUFFALO, NEW YORK

Will maintain contact with AUSA [REDACTED] WDNY, advising him of results of ~~investigation conducted on~~ an expeditious basis.

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ADMINISTRATIVE:

All persons interviewed during this investigation were advised that it was being conducted at the specific request of the U. S. Department of Justice.

Information copies of this report are being furnished New York and Pittsburgh in view of past investigation conducted by these divisions in this matter.

It is noted that AUSA [REDACTED] WDNY, Buffalo, New York has been advised on a same day or next day basis of the results of investigation conducted in this matter.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Buffalo

Report of: [REDACTED]

Office: Buffalo, New York

Date: 3/22/74

Field Office File #: 44-592

Bureau File #: 44-50605

Title: [REDACTED]

Character: [REDACTED]

INMATES OF ATTICA - VICTIMS

Character: CIVIL RIGHTS

Synopsis: Efforts to locate former Attica Correctional Facility (ACF) Superintendent VINCENT R. MANCUSI. negative to date [REDACTED]

[REDACTED] interviewed and advised court order issued by USDC Judge JOHN T. CURTIN, dated 12/14/71, was posted on employees' bulletin board at ACF and that prison regulations require any such order so posted to be read at each employees' roll call for a 72 hour period. Document located indicating a reading of notice of this order occurred 12/23-26/71. [REDACTED] according to prison records, was on a scheduled vacation during 12/23-26/71.

- P -

Details:

By communication dated February 25, 1974, the Pittsburgh Division of the Federal Bureau of Investigation (FBI), advised that efforts to locate and interview VINCENT R. MANCUSI, who was reported to be residing with his [REDACTED]

[REDACTED] Pennsylvania, had been unsuccessful.

BU 44-592

By communication dated March 14, 1974, the Pittsburgh Division as above, advised that [redacted] as above, had been contacted and had advised that [redacted] Mr. and Mrs. VINCENT R. MANCUSI had returned to their home, 6927 Conservation Drive, Springfield, Virginia.

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On March 4, 1974, March 7, 1974 and March 21, 1974, Assistant United States Attorney [redacted] Western District of New York, Buffalo, New York, was contacted in order that he could be advised of the results of investigation conducted in this matter. On March 21, 1974, [redacted] requested that investigation be conducted to determine if [redacted] had worked at Attica Correctional Facility, Attica, New York between December 23 to 26, 1971 and if so, his job assignments on that day. [redacted] pointed out that this investigation would in fact help determine the possibility that [redacted] was given notice of the court order in this matter.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/5/74

LEON J. VINCENT, Superintendent, Green Haven Correctional Facility, Stormville, New York, was advised of the identity of the interviewing agent and that inquiry was being conducted in an effort to determine if a court order issued by United States District Court (USDC) Judge JOHN T. CURTIN, Western District of New York, dated December 14, 1971 had been disseminated to employees of Attica Correctional Facility, on or about December 15, 1971.

Mr. VINCENT advised there was no question that the above orders had been posted on the bulletin board near the time clocks for the employees to read. He advised he would have to assume that the orders had been read to each of the shifts over a 72 hour period in that regulations required that any posted notices be read at each roll call during that period.

He further advised that in view of the time period in which the orders had been issued, officials of the Facility would have complied most carefully with the set procedures.

He stated the Chart Office at Attica Correctional Facility should have a copy of the orders, and that it would reflect the initials of the Sergeant or Lieutenant who read the orders and the times of such readings.

Mr. VINCENT advised that at that time, he had been Deputy Superintendent of Attica Correctional Facility.

Interviewed on 3/4/74 at Stormville, New York File # Buffalo 44-592
NY 44-2086

by SA

mmz

Date dictated 3/4/74

- 3 -

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription 3/22/74

[redacted] Senior Law Investigator, New York State Attorney General's Office, Donovan Building, Suite D, was contacted and provided one copy of a letter, dated December 23, 1971 addressed to "To All Employees" and signed VINCENT R. MANCUSI. [redacted] stated that the dates at the bottom of this letter indicate the dates that this letter was read to employees of Attica Correctional Facility (ACF), Attica, New York by Shift Commanders at roll call, who also initialed these entries.

[redacted] also provided one copy of a notice directed to inmates of ACF signed JOHN T. CURTIN, United States District Judge and dated December 14, 1971.

Copies of both of the above documents are being made a part of this interview report. [redacted] commented that he had obtained these copies from JOHN STENGER, Attorney at Law, Buffalo, New York, who is representing employees of ACF in this matter. [redacted] stated that it was his understanding that both of the above documents were read at the indicated roll calls.

Interviewed on 3/21/74 at Buffalo, New York File # Buffalo 44-592

by SA [redacted] :ph Date dictated 3/22/74

- 4 -

ATTICA CORRECTIONAL FACILITY
OFFICE OF THE SUPERINTENDENT

December 23, 1971

TO ALL EMPLOYEES:

In accordance with a decision by the Honorable John T. Curtin, United States District Judge in CIV-1971-410, it is necessary that you are aware of the notice which is being passed out on December 23, 1971 to every inmate of the Attica Correctional Facility.

Further, you are directed that a report should be made of any inmate who offers verbal abuse or racial slurs to you. In this report, include the names of any employee witnesses present.

Vincent R. Mancusi
Superintendent

VRM/cas

cc: Chart Office - To be read at roll calls for 72 hours, document who reads it and make a report.

Deputy Superintendent

12/23 - 3
12/24 11-
7-
9-5
3-11
12/25 11-
7-
9-

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

INMATES OF THE ATTICA CORRECTIONAL
FACILITY, et. al.,

Plaintiffs

vs.

NELSON ROCKEFELLER, Governor, State
of New York, et. al.,

Defendants

NOTICE

Civ. 1971-410

Several inmates of the Attica Correctional Facility have started an action against State officials in the United States District Court for the Western District of New York. They complain of mistreatment by State personnel in the period beginning September 13, 1971.

The inmates have been allowed to sue on their own behalf and on behalf of all inmates at the Attica Correctional Facility, including you. If you do not wish to be part of this action, you should write a letter to Judge John T. Curtin, 614 United States Court House, Buffalo, New York 14202, stating that you do not want to take part in the suit.

The Court has ordered that the defendants, their agents and employees, including State Police and Department of Correctional Services personnel, be immediately prohibited and enjoined from subjecting inmates at the Attica Correctional Facility to physical abuse, torture, beatings or other forms of brutality, including verbal abuse and racial slurs, from threatening such conduct or from authorizing, sanctioning or permitting such conduct.

The Court will continue to exercise jurisdiction in the action.

/s/ John T. Curtin

JOHN T. CURTIN

UNITED STATES DISTRICT JUDGE

Dated: December 14, 1971

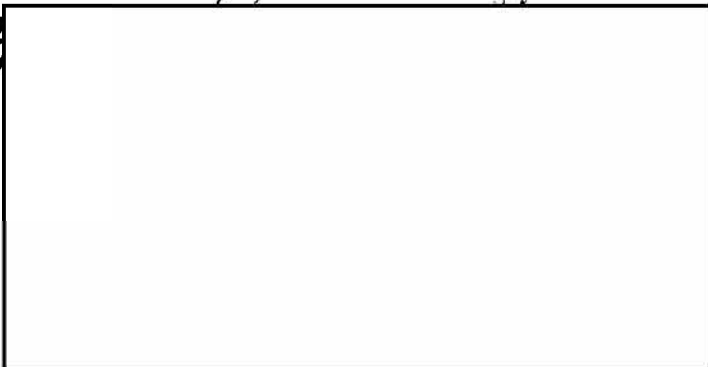
F B I

Date: 4/16/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)



INMATES OF ATTICA - VICTIMS

CR

(OO: BUFFALO)

Re report of SA [redacted] dated 3/22/74, at Buffalo; and Alexandria airtel to Buffalo, dated 3/28/74, IO.

Enclosed for the Bureau are the original and three copies of an LHM regarding captioned matter.

One copy of this LHM has been furnished to the United States Attorney, Buffalo, New York.

2 - Bureau (Encs. 4) (AM)
2 - BuffaloJLB:pjc
(4)

Approved: _____

Sent _____

M

Per _____

30 APR 26 1974

Special Agent in Charge

BU 44-592

LEAD

BUFFALO

AT BUFFALO, NEW YORK

Will maintain contact with AUSA [REDACTED]
Western District of New York, Buffalo, in order to follow and
report further court proceedings in this matter and conduct
any investigation requested.

b6
b7C

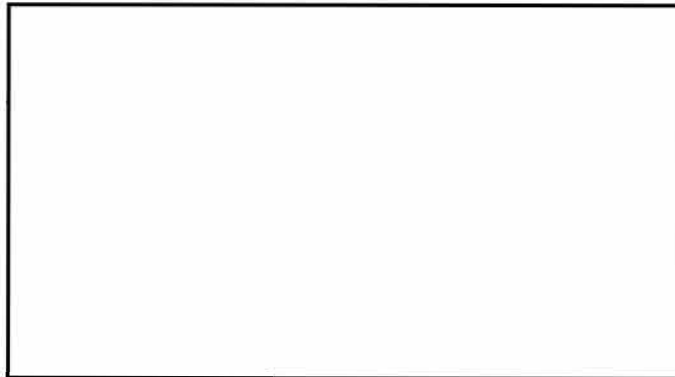


UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York
April 16, 1974

In Reply, Please Refer to
File No.



b6
b7C

ALSO KNOWN AS,
INMATES OF ATTICA - VICTIMS
CIVIL RIGHTS

On April 1, 1974, Assistant United States Attorney (AUSA) [redacted] Western District of New York, Buffalo, New York, was contacted and was advised of the results of interview of VINCENT R. MANCUSI, former Superintendent, Attica Correctional Facility, Attica, New York.

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b7C

On April 3, 1974, AUSA [redacted] advised that Judge JOHN T. CURTIN, United States District Court, Buffalo, New York, had set April 22, 1974, as the day for the Government and Defense Counsel to appear in court in order that a trial date could be set in this matter.

b6
b7C

On April 15, 1974, AUSA [redacted] was recontacted, at which time he advised this matter continues to be in a pre-trial stage and that he would request no further investigation at this time.

b6
b7C

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

44-50605-190

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/28/74

VINCENT R. MANCUSI, former Superintendent, Attica Correctional Facility, (ACF), Attica, New York, was interviewed at his residence, 6927 Conservation Drive, where he furnished the following information:

He stated sometime ago, on either December 14 or December 15, 1971, when he was Superintendent of ACF, he was informed of the decision of JOHN T. CURTIN, U.S. District Judge, Western District of New York State, in the case, "Inmates of Attica Correctional Facility versus Nelson Rockefeller, Governor of the State of New York;" and a copy of the Judge's decision was presented to him, either by a U.S. Marshal or he received the order by mail, with instructions for him to disseminate the entire contents of the order to his staff and security force for the ACF.

He stated that immediately after he received the order, he discussed the contents of it in his office with both the [redacted]

b6
b7C

After the discussion, he prepared an adequate number of copies of the order and distributed them as follows:

A. One copy was prepared with a memorandum attached, and addressed to all of the shift commanders, the names of whom he could not recall.

This copy was hand carried by a courier who was under instructions from him to present this copy to the current shift commanders and have the commanders initial the receipt of this order.

The general instructions outlined on MANCUSI's memorandum attached to this order read to the following effect:

Interviewed on 3/26/74 at Springfield, Virginia File # AX 44-134

by SA [redacted] jcr - 2 - Date dictated 3/27/74

b6
b7C

1. It instructed the shift commanders to initial the receipt of the order.
2. Read it aloud in its entirety to every shift within the following 72 hours, so that every employee will be made aware of the order's contents.
3. Shift commanders were instructed to pass the order to the relieving shift commander so that he could implement his instructions at the beginning of his shift.

B. He ordered that a copy of this order be placed on the bulletin board in the Administration Building so that employees could take notice of the order before they signed in for work.

He stated he is sure that a copy of the order was placed on the bulletin board as he so ordered.

C. He also stated that he had some 500 copies of the order prepared and placed in the lobby of the Main Administration Building near the punch clock so that individual copies of the order would be available for the employees who desired them.

He further stated that he could not ascertain if every security employee actually received a copy of the order; however, he stated every available means were utilized to disseminate the contents of the order to the employees.

He also stated he is aware of the possibility that some of the security employees may have been off, during the 72 hours in which the order was read, on sick leave, or absent for some other reason. He stated at the time the order was being disseminated, these possibilities were not realized.

He also stated he is aware of one, [redacted] Sergeant, ACF, who denied hearing or seeing the order. It is his belief that [redacted] may not have been present during the 72-hour period in which the order was read. He stated nevertheless, a copy of the order remained on the bulletin

AX 44-134

3

board in the lobby of the Main Administration Building for an indefinite period of time, and all employees are required to read the bulletin board as a matter of standard operating procedure.

He also stated, during the period in which he was the Superintendent of ACF, there were three main shifts and these shifts were commanded by highly capable captains or lieutenants whom he entrusted to carry out his orders.

He concluded by saying he has been in corrections work for the past 38 years, and while working in this capacity, he was of the philosophy that he was an officer of the law; he carried out the law in accordance with the penal codes for the jurisdiction in which he worked, and he maintained the highest standards at all times.

F B I

Date: 5/10/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)
FROM: SAC, BUFFALO (44-592) (P)

INMATES OF ATTICA - VICTIMS
CR
(OO: BUFFALO)

Re Buffalo airtel to Bureau, dated 5/8/74.

For the information of Bureau and San Francisco,
trial date in captioned matter has been changed to May 22, 1974.

- ② - Bureau (AM)
2 - San Francisco (AM)
2 - Buffalo
JLB:kms
(6)

REC 25

EX-112

MAY 13 1974

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

44-50605-A-
~~NOT RECORDED~~
182 MAR 5 1970

F B I

Date: 5/8/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)

FROM: SAC, BUFFALO (44-592) (P)

INMATES OF ATTICA - VICTIMS
CR
(OO: BUFFALO)

Re Buffalo airtel to the Bureau, dated 4/16/74.

11 Trial in captioned matter is scheduled to commence 5/29/74. SA [redacted] presence is required at this trial because he took photographs of the area at Attica Correctional Facility, Attica, New York, where the alleged brutality took place. AUSA [redacted] Western District of New York, Buffalo, New York, desires to introduce these photographs at time of trial.

- 2 - Bureau (AM)
2 - San Francisco (AM)
2 - Buffalo

JLB:pjc
(6)

OK - Div. 6
REC-7/4-50605
EX-110

14 MAY 11 1974

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

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b7Cb6
b7C

BU 44-592

It is noted that SA [] is currently attending Language School at Monterey, California.

Bureau and San Francisco will be advised of the exact date SA [] presence will be required, when determined, at Buffalo. SA [] will report at Buffalo, UACB.

b6
b7c

F B I

Date: 5/14/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)
FROM: SAC, BUFFALO (44-592) (P)

CR
(OO: BUFFALO)

Re Buffalo airtel to Bureau, 5/10/74.

Enclosed for the Bureau are four copies of an LHM re captioned matter.

One copy of this LHM has been furnished to the United States Attorney, Buffalo, New York.

LEADBUFFALOAT BUFFALO, NEW YORK

Will maintain contact with AUSA [redacted]
WDNY, in order to follow and report further court
proceedings in this matter and conduct any investigation
requested.

2 - Bureau (Encs. 4) (AM)
2 - Buffalo

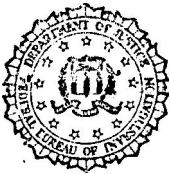
JLB:kms
(4)

REC-85

44-50605-193
MAY 17 1974b6
b7Cb6
b7C

Approved: RHA/ser
50 MAY 29 1974 Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York

May 14, 1974

In Reply, Please Refer to
File No.



INMATES OF ATTICA - VICTIMS
CIVIL RIGHTS

On April 17, 1974, Assistant United States Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York, was contacted and advised that he anticipated that U. S. District Court (USDC) Judge JOHN T. CURTIN, WDNY, Buffalo, New York, would set a trial date in captioned matter on April 22, 1974. AUSA [redacted] requested that the location of five Government witnesses in this matter be verified in order that he would be in a position to advise USDC Judge CURTIN that the Government was able to proceed on an expeditious basis. [redacted] then provided the following information regarding these witnesses:

[redacted] Attica Correctional Facility (ACF) Inmate Number [redacted] transferred to Ossining Correctional Facility (OCF), Ossining, New York, [redacted] ACF Inmate Number [redacted] transferred to Greenhaven Correctional Facility, Stormville, New York, [redacted] ACF Inmate Number [redacted] transferred to Great Meadow Correctional Facility, Comstock, New York, [redacted] and now believed to be an inmate at the Eastern New York Correctional Facility, Nanuet, New York, [redacted] inmate, Erie County Jail, Buffalo, New York.

44-50605-193

ENCLOSURE

[REDACTED]

CIVIL RIGHTS

[REDACTED] inmate, Erie County Jail, Buffalo, New York.

On April 17, [REDACTED] Deputy Sheriff, Erie County Jail, Buffalo, New York, verified the location as above of [REDACTED]

[REDACTED] also indicated that these two prisoners are being held for Auburn Correctional Facility, Auburn, New York, and that he did not expect them to be transferred in the near future.

On April 18, 1974, [REDACTED] New York, advised that [REDACTED] as above, was transferred [REDACTED] to Clinton Correctional Facility, Dannemora, New York.

On April 18, 1974, [REDACTED] Eastern New York Correctional Facility, Napanoch, New York, advised that [REDACTED] as above, had been paroled to the custody of the New York State Department of Correctional Services, Division of Parole, [REDACTED] New York, and that this parole was effective until September, 1979.

On April 18, 1974, the New York Division of the FBI advised by communication that records of the Greenhaven Correctional Facility, Stormville, New York, indicated that [REDACTED] is currently incarcerated at this prison and has Inmate Number [REDACTED]

On April 19, 1974, the Albany, New York, Division of the FBI advised by communication that records of [REDACTED] Service, Albany, New York, disclosed that [REDACTED] as above, is currently an inmate at Clinton Correctional Facility, Dannemora, New York, and has Inmate Number [REDACTED]

[REDACTED]

CIVIL RIGHTS

On April 19, 1974, [REDACTED] New York State Division of Parole. New York City. New York. advised that [REDACTED] New York.

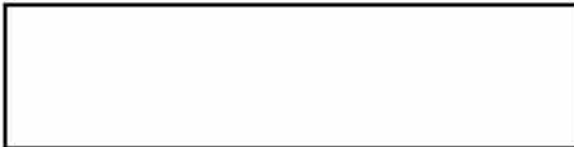
On April 19, 1974, AUSA [REDACTED] was advised regarding the current location of all Government witnesses as above.

On April 22, 1974, AUSA [REDACTED] was contacted and advised that he and the attorney for the defendants in this matter had appeared at USDC, Buffalo, New York, on this date and that the setting of a trial date had been adjourned by USDC Judge CURTIN in order that the court could consider motion made by the Government that there existed a conflict of interest with the present defense attorney. No date was set for the next court appearance in this matter.

On May 1, 1974, AUSA [REDACTED] was contacted and advised that he had been in communication with USDC Judge CURTIN who had advised that trial was currently set to begin in this matter on May 29, 1974 and that he was not going to consider the above Government motion any further and was going to let the present defense attorney continue.

On May 9, 1974, AUSA [REDACTED] requested that investigation be conducted to verify the location of two additional Government witnesses and provided the following information for them:

[REDACTED] ACF Inmate Number [REDACTED] transferred to Great Meadow Correctional Facility, Comstock, New York. December 27, 1972; [REDACTED] also known as [REDACTED] ACF Inmate Number [REDACTED] transferred Great Meadow Correctional Facility, Great Meadow Inmate Number [REDACTED]



CIVIL RIGHTS

[redacted] advised that reliable information available to him indicates both of these individuals are currently on parole which is being supervised from the New York State Parole Office at 314 West 40th Street, New York City, New York.

On May 10, 1974, AUSA [redacted] was contacted and advised that USDC Judge CURTIN had reset the trial date in this matter for May 22, 1974.

On May 13, 1974, Parole Officer [redacted] New York State Parole Office, 314 West 40th Street, New York City, New York, advised that [redacted] currently resides at [redacted]

[redacted] New York, and that he will reside at this address until June 1, 1974. Parole Officer [redacted] of the same office, advised that [redacted]

[redacted] New York. [redacted] However [redacted] Puerto Rico, and due to return to New York City on May 25, 1974.

On May 14, 1974, AUSA [redacted] was contacted and provided with the information as above regarding [redacted]

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 15 1974

NR011 BU PLAIN

TELETYPE

10:55PM NITEL MAY 15, 1974 DMB

TO DIRECTOR (44-50605)

SAN FRANCISCO

FROM BUFFALO (44-592) (P) 1P

Assoc. Dir.	_____
Dep. A.D. Admin.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Crim. Inv.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

CR.

OO: BUFFALO

REMYAIRTELS TO BUREAU, MAY 8 AND 10, 1974.

ON MAY 15, 1974, AUSA [REDACTED] WDNY, BUFFALO,

REQUESTED THAT SA [REDACTED] APPEAR AT BUFFALO BY ONE
PM, MAY 22, 1974, FOR PRETRIAL CONFERENCE AND TESTIMONY IN
CAPTIONED MATTER. SA [REDACTED] WILL APPEAR, UACB.

E N D

RXH FBIHQ ACK FOR ONE

CLR

REC-05

44-50605-194
15 MAY 17 1974

6444
55 JUN 3 1974

b6
b7C

F B I

Date: 5/23/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-50605)
FROM: SAC, BUFFALO (44-592) (P)

[Redacted Box]

CR
(OO: Buffalo)

Re Buffalo airtel to Bureau, 5/14/74 and
Buffalo nitel to Bureau, 5/15/74.

Enclosed for the Bureau are the original and
three copies of an LHM regarding captioned matter.

One copy of this LHM has been furnished to
the USA, Buffalo, New York.

This matter is being kept in a pending status
at Buffalo in order that proper disposition can be made
of bulky exhibits obtained during the course of
investigation. When this disposition has been made,
this case will be closed administratively.

LEADBUFFALO

REC-67

44-50605-195

AT BUFFALO, NEW YORK **EX-110**

Will determine proper disposition of bulky
exhibits obtained in this matter.

2 - Bureau (Encs. 4) (AM)
1 - Buffalo
JLB:dms
(3)

54 JUN 6 1974

Approved: _____
Special Agent in Charge

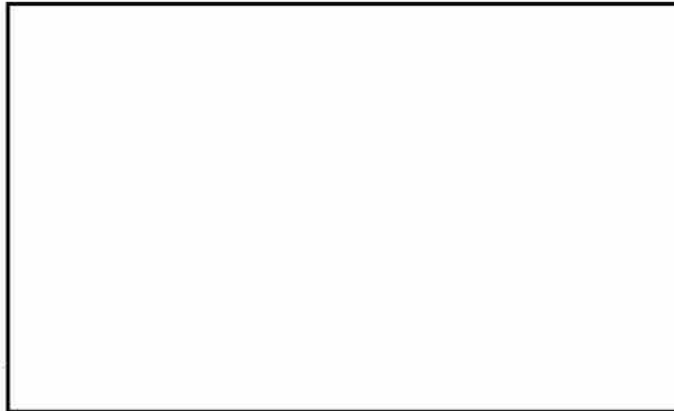
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Buffalo, New York
May 23, 1974

In Reply, Please Refer to
File No.



INMATES OF ATTICA - VICTIMS
CIVIL RIGHTS

On May 22, 1974, Assistant United States Attorney (AUSA) [redacted] Western District of New York (WDNY), Buffalo, New York, was contacted and advised that on that date in United States District Court, Buffalo, New York, Judge JOHN T. CURTIN dismissed pending charges against

[redacted] pointed out that the reason for this dismissal was that all available Government witnesses who were inmates at Attica Correctional Facility when this alleged incident occurred, elected to take their 5th Amendment Constitutional right not to testify. AUSA [redacted] noted that all of these same persons are currently charged by the State of New York with criminal acts they allegedly perpetrated during the riot by Attica Correctional Facility inmates in September, 1971.

AUSA [redacted] stated that he did not anticipate any further prosecutive action in this matter.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44-30605-195
FBI

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b7C

b6
b7C

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b7C

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
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 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

AUGUST 9, 1974

'Attica Brothers' win jury challenge

By Joe Walker

(M.S. New York Bureau)

Attica Correctional Facility

BUFFALO, N.Y. — The Attica Brothers recently won an historic jury challenge when Erie County Judge Gilbert King threw out more than 100,000 names from the county jury pool because of discrimination against prospective jurors.

THAT AMOUNTS to 95 per cent of the jury pool and makes it unlikely that sufficient names can be added before the Fall of this year. Judge King found that women and students had been illegally excluded from the pool and struck all people who were on the jury list for service before Jan. 1, 1974.

The court action was brought by the Fair Jury Project (FJP), a research team working in association with the Attica Brothers Legal Defense (ABLD) which conducted a comprehensive study of the jury selection process in Erie County for the purpose of determining whether the 61 inmate indictees in the Attica cases could be granted their constitutional right to jurors drawn randomly from a cross-section of the community.

SECTION OF THE COMMUNITY.

Court evidence and testimony showed that women were under-represented by 68 per cent, young people by 84 per cent and Blacks by 34 per cent. The FJP study was supervised by Beth Bonora, a law clerk and student; Marty Feinrider, a former instructor of sociology at the State College of Fredonia and at Canisus College; and Tom Antenucci, graduate of Harvard College.

THEY WORKED in close consultation with Joel Rose, assistant director of the Survey Research Center at the State University at Buffalo; George Dowdell, asst. professor of sociology at the State College at Buffalo; Jay Schulman, adjunct professor of sociology at New Rochelle College and at Union Graduate School—renown for his work in the Camden 28 case; David Kairys, counsel to the ABLD and a Cornell University graduate with substantial background in probability and statistics; and Jack Kiefer, professor of mathematics at Cornell.

Last May 28, the court hearing on the jury challenge began. Judge King handed down his decision on June 27. William Gaitor, director of BUTLD, testifying to discrimination against Blacks in the Erie County jury selection system, was the concluding witness for the FJP.

The Washington Post _____
 Washington Star-News _____
 Daily News (New York) _____
 The New York Times _____
 The Wall Street Journal _____
 The National Observer _____
 The Los Angeles Times _____
 MAHAMMAD SPEARS

Date August 9, 1974
 Page 15

44-50605-A
 NOT RECORDED
 183 SEP 25 1974
 File 3 TF

54 SEP 27 1974

ORIGINAL FILED IN 157-30240-A-1

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

THE TESTIMONY showed that at the only point where jury commissioners had the opportunity to exclude persons from jury service, a significant number of Black people were in fact excluded for no justifiable reason.

Helen Inglis, former deputy commissioner, testified that she disqualified people who had "sloppy handwriting" or what she considered to be "bad mental attitudes." Most of those people live in the Black areas of Buffalo. Even beyond this, staff members of the project found cards in the jury file with "Negro" written on them.

Unrebutted testimony was also given by members of the jury commissioner's staff which verified systematic discrimination against women. The clerks from the office testified that they skipped names of women and picked male names instead when choosing who to mail to from the voter registration lists.

ONE OF THE clerks, Shirley Gilbert, who has been working in the office for 13 years, said she was instructed to choose male names in this manner.

Ms. Inglis testified that she ~~also disqualified all students~~
~~also disqualified all students~~

though there is no basis in the law for this practice.

Former jury commissioner Joseph Carroll testified that he disqualified people because they had been arrested for such things as traffic tickets, disorderly conduct or public intoxication. The judiciary law specified that there must be a conviction for a serious crime to prevent jury duty selection.

Mrs. Inglis further testified that she gave exemptions to persons who had not requested them, including clergymen and newsmen. In one case, she disqualified someone for having seen a psychologist. In another, she disqualified a Puerto Rican who had lived in the country for 23 years, because she assumed he could not speak English.

BIG BLACK (Frank Smith), who heads the Buffalo office of the ABLD (147 Franklin St., Buffalo, N.Y. 14202 — 716-856-0302), commenting on the jury challenge decision, said, "We'll go to trial if we must, but justice will not be had until all the indictments are dismissed."

Herbert X Blyden, who is the director of the New York City office of ABLD (126 W. 119th St., N.Y., N.Y. 10026:212-662-1192) was asked by Muhammad Speaks if the former N.Y. Governor Nelson Rockefeller—widely-known as the Butcher of Attica—was now off the hook.

The Washington Post _____
 Washington Star-News _____
 Daily News (New York) _____
 The New York Times _____
 The Wall Street Journal _____
 The National Observer _____
 The Los Angeles Times _____
Muhammad Speaks

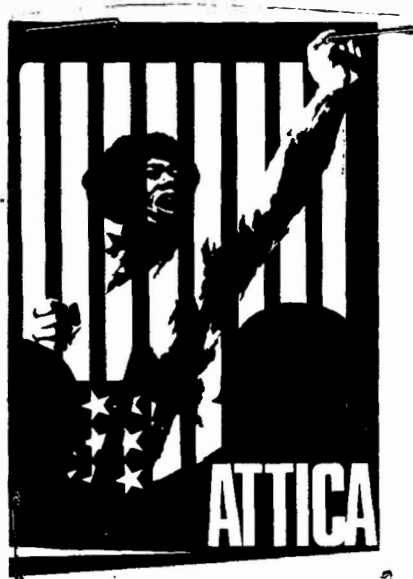
Date August 9, 1974
 Page 15

Special to the Daily World

RECORDED COPY FILED IN

1

One copy sent back
to Bu (AA) & SF (info)
w/ 9/16/74 article
By O-7 (copy attached)



to a march and rally in Buffalo marking the third anniversary of the Attica massacre and protesting the trial of 61 Attica defendants.

The Western Pennsylvania Alliance Against Racist and Political Repression is sponsoring the buses, which leave at 7 a.m. in front of Hillman Library (Forges & Bigelow). They will arrive in Buffalo in time for a noon rally and march in Niagara Square and will leave Buffalo at 5 p.m. the same day. Round trip fare is \$10. For information, contact the Alliance, P.O. Box 4664, Pittsburgh, Pa. 15206, phone 682-1200.

Routing Slip
0-7 (Rev. 12-17-73)

(Copies to Offices Checked)

TO: SAC:

<input type="checkbox"/> Albany	<input type="checkbox"/> Houston
<input type="checkbox"/> Albuquerque	<input type="checkbox"/> Indianapolis
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<input type="checkbox"/> Denver	<input type="checkbox"/> New Haven
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<input type="checkbox"/> El Paso	<input type="checkbox"/> New York City
<input type="checkbox"/> Honolulu	<input type="checkbox"/> Norfolk

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<input type="checkbox"/> San Juan
<input type="checkbox"/> Savannah
<input type="checkbox"/> Seattle
<input type="checkbox"/> Springfield
<input type="checkbox"/> Tampa
<input type="checkbox"/> Washington Field
<input type="checkbox"/> Quantico

TO LEGAT:

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<input type="checkbox"/> Ottawa
<input type="checkbox"/> Paris
<input type="checkbox"/> Rome
<input type="checkbox"/> Singapore
<input type="checkbox"/> Tel Aviv
<input type="checkbox"/> Tokyo

RE:

Date 9/12/74

ANGELA YVONNE DAVIS
SM - CPUSA (CC)
(KEY ACTIVIST)

SF Retention Bu For appropriate
☒ For information ☐ optional ☒ action ☐ Surep, by _____
☐ The enclosed is for your information. If used in a future report, ☐ conceal all sources, ☐ paraphrase contents.
☐ Enclosed are corrected pages from report of SA _____ dated _____

Remarks:

Copies of "Daily World" news items enclosed, issues 8/31/74 and 9/6/74. They report subject's scheduled appearance at a Buffalo rally concerning the Attica trials. Buffalo verify Davis' appearance and activities and submit results in LHM, copy San Francisco, origin.

LJB/vmb

FILE COPY

Enc.

Bufile **100-439922**

Urfile

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gebhardt

DATE: 9/5/74

FROM : C. L. McGowan

- 1 - Mr. Gebhardt
- 1 - Mr. Gallagher
- 1 - Mr. McGowan
- 1 - Mr. Moses

SUBJECT: UNKNOWN SUBJECTS;
CORRECTIONAL OFFICERS FACILITY
ATTICA CORRECTIONAL FACILITIES
ATTICA (WYOMING COUNTY), NEW YORK -
UNKNOWN VICTIMS.
SUMMARY PUNISHMENT
CIVIL RIGHTS

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This is the case involving alleged prisoner abuse during the retaking of the Attica Correctional Institute, Attica, New York, on 9/13/71 in which nine prisoner hostages and twenty-eight inmates died of gunshot wounds. Nelson A. Rockefeller, then the Governor of New York, requested the assistance of the Civil Rights Division (CRD) of the Department in investigating the allegations of prisoner abuse, and we conducted a limited civil rights investigation into such allegations at the specific request of the CRD. The results of our investigation were furnished to the CRD.

Late on the afternoon of September 4, 1974, an individual identifying himself as Ned Perry, Assistant Attorney General for the State of New York, telephonically advised that on behalf of the New York State Attorney General, he was forwarding separate letters to the Director and Attorney General Saxbe requesting that the results of the FBI investigation in captioned matter be made available to the New York State Attorney General's Office.

Perry was advised that we had conducted certain investigation relating to the alleged prisoner abuse in connection with the retaking of the Attica facility; the results had been furnished to the CRD of the Department of Justice; and any determination as to whether the results of our investigation in the matter would be made available to his Office would be made by the Department of Justice and not by the FBI.

JGK:dmp
(5) dmp

REC-59

44-50605-196

CONTINUED OVER
SEP 11 1974

ST-101

57 SEP 16 1974

Memorandum to Mr. Gebhardt
RE: UNKNOWN SUBJECTS; CORRECTIONAL OFFICERS

Under the circumstances it was suggested to Mr. Perry that a letter to the Director would not be necessary, and that the letter to the Attorney General would suffice for his purpose. Perry expressed his thanks for this information but stated that the letters had already gone forward.

Perry was asked whether he had alerted the Department of Justice to the possible receipt of the letter, and he stated that he had discussed the matter with [redacted]

[redacted] CRD of the Department [redacted] (CRD). According to Perry, [redacted] advised him he doubted that the Department of Justice would make the results of the Bureau's investigation available to the State Attorney General's Office but that [redacted] would check into the matter further on receipt of the letter to Mr. Saxbe.

Perry was thanked for his courtesy in alerting us to the letters from his Office, and it was again reiterated to him that any decision in the matter would be made by the Department of Justice and not by the FBI.

ACTION: For information.

CLM JK RJB
K Jma
MS
[Signature]

b6
b7C

Series of Trials in Attica Prison Revolt About to Begin

By William Claiborne

Washington Post Staff Writer

BUFFALO, N.Y.—Behind an unmarked door on the second floor of the Erie County Courthouse, 15 lawyers and 20 investigators—some of them retired New York City homicide detectives with the hardened look of having seen it all—are putting the final touches on the preparation of what may be the largest criminal trial in U.S. history.

One floor above, a floor-to-ceiling steel mesh gate has been rigged in the corridor leading to Courtroom 3 of the New York State Supreme Court, a grotesque-looking appendage to the strikingly dignified, polished marble hall.

The presence of security guards and sheriff's deputies is unmistakable, and the word "Attica" is frequently on the lips of the courthouse crowd—the bored trial watchers, the omnipresent ward politicians and the steady stream of criminal lawyers smiling reassurances at their scared young clients.

It is three years since 1,500 prisoners poured out of their cells in D Block at Attica State Prison and held their terrified guards hostage in the inmate yard called Times Square, until a fusillade of state police bullets left 39 men dead. In all, 23 persons died during the bloody, four-day rebellion.

To Charles Bradley, a former part-time assistant district attorney in Elmira who is now the chief prosecution trial lawyer for the state's Attica task force, the issues of the trial are plain.

"The state is ready. We have a set of indictments narrowly related in time and place, and we're interested in trying those indictments. We're not interested in becoming involved in a political trial," Bradley said in an interview.

Three blocks up the street, in a shabby storefront plastered with revolutionary slogans, the tone is less self-assured. This is the headquarters of the Attica Brothers Legal Defense Fund.

"We don't want to go to trial. We don't feel we are ready, through no fault of our own," said Liz Fink, one of seven volunteer staff attorneys who will defend the inmates charged in the rebellion with crimes ranging from murder and kidnapping to possession of contraband.

"The purpose of these indictments is to vindicate Nelson Rockefeller in the murder of 43 persons, to vindicate enormous lies that were part of the conspiracy to cover up the Attica massacre," Miss Fink said.

On one point, the prosecution and the defense lawyers were in agreement: the Attica case will be one of the most complex trials ever held, a labyrinth of interconnecting allegations and evidence that is expected to take months to sort out.

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Director Sec'y _____

McDonough

6 ATTICA CORRECTIONAL Facility

44-50605-A-

NOT RECORDED
160 SEP 11 1974

The Washington Post A-2
Washington Star-News _____
Daily News (New York) _____
The New York Times _____
The Wall Street Journal _____
The National Observer _____
The Los Angeles Times _____

Date 9/18/74

File
62

70 SEP 16 1974

There are 60 defendants, more than 50 trial lawyers, 42 indictments and 1,400 individual counts alleging criminal actions. One indictment alone accuses each of 14 prisoners of 35 counts of kidnaping.

There are 1,500 potential witnesses among the Attica prisoners alone, plus hundreds of state policemen, guards and corrections officials. Many of the inmates have been paroled or have finished their sentences and have disappeared into the streets again. Some bear grudges and some, according to the defense, are unable to perjure themselves in exchange for promises of immunity.

The trial actually will be a series of trials, some expected to be held simultaneously in three adjacent courtrooms under tight security. The first is scheduled to begin Sept. 12, against Vernon LaFranque, who faces 14 years if convicted of possession of a gun.

However, there is almost no chance that the trials will begin then, court sources said, because the defense has not yet exhausted its motions to dismiss or delay the case.

Since the indictments were handed up 13 months after the uprising, the defense strategy has been to try to contain the case to one mass trial and focus on the causes of the riot and the state's response to the crisis.

"I'd rather have one trial, and say, 'What were the conditions at Attica? Given the response of the police, what was the crime committed?'" said Michael Deutsch, a defense fund lawyer.

But Deutsch and the other Attica lawyers are also realists, they say, and they interpret a long series of pre-trial rulings against them as a clear signal that the state police will not be tried for alleged excesses in one huge political trial. Instead, they

realize the defendants will be tried in small groups in several narrow cases.

Consequently, much of the defense fund staff's energy in the past year has been directed at the core of the trial system—the jury.

In conjunction with several civil rights groups, the Attica Brothers committee filed a suit against the entire jury selection system of Erie County, charging that blacks were under-represented in the jury pool by 34 per cent, women by 68 per cent and young persons by 84 per cent.

In June, in a decision that startled the legal establishment in Buffalo, an Erie County judge threw out most of the jury pool and ordered changes designed to assure fairer representation.

Encouraged by their success, the defense group then turned to Jay Schulman, a portly, white-bearded sociologist from Columbia University whose figure is familiar to observers of almost every major radical trial in the early 1970s.

Schulman is an expert in picking juries; radical lawyers concede, only half in jest, that he has cornered the market in that field, but judges and establishment attorneys have long admired his demographic and psychological research into juries and jury decision-making.

Beginning last July, Schulman set up a survey in Erie County for the Attica Brothers committee to determine the attitudes of potential jurors toward the behavior of the Attica prisoners, the guards and state troopers; to measure racism and authoritarianism in the county, and to determine the presumption of innocence in an area that was blitzed with publicity on the rebellion.

Using a computerized random selection process, 50 defense fund volunteers conducted telephone interviews of 651 potential jurors over six weeks, each interview lasting 30 to 45 minutes. The volunteers actually called

twice that many people to obtain 651 complete interviews, according to Beth Bonora, a San Francisco law student who directed the project.

An adviser, Sidney Har- ring, a Buffalo State College sociology professor, obtained a grant for the research and a University of Buffalo computer was used to analyze the data, Miss Bonora said.

The results, filed with the court last week in a motion to dismiss, claim extraordinary prejudices in Erie County against the defendants.

According to Schulman, more than 68 per cent of the potential jurors blame the Attica inmates for the shooting deaths in D Yard, even though a state investigating commission said all the victims died from state police gunfire.

Schulman said nearly 20 per cent of the prospective jurors believe the inmates slit the throats and castrated some of the guard hostages, although autopsies and the state commission's report denied those widely circulated reports.

More startling to the defense group was the finding that 22 per cent indicated they could not be impartial jurors, and a like proportion said they could not even follow a judge's instruction to presume innocence.

Schulman's system has been used successfully in a number of trials, including the Gainesville, Fla., trial of Vietnam war protestors, the Los Angeles trial of Daniel Ellsberg, and the Wounded Knee trial in St. Paul, Minn.

Schulman reported that 63 per cent of the potential jurors believe that prison disturbances are caused by

"outside agitators," and 58.5 per cent believe there is "no justification for black militancy."

Schulman said the study that 45 per cent said they believed that authorities who give the order to shoot to kill during prison riots are always justified, and that there is no need for the use of lesser force.

Buffalo, in western New York state on the Canadian border, is an industrial city of 250,000 and one of the

most ethnically populated areas of the state. Erie County, from which the jury pool is taken, is 8 per cent black, with high concentrations of people of Polish and Italian extraction. Most are blue-collar workers.

The county is more than 60 per cent Republican, and generally regarded as politically conservative.

To the Attica defenders, the survey spells an absolute need for a broad voir dire process—the question-

ing of prospective jurors by the defense and prosecution.

At the Wounded Knee trial, U.S. District Court Judge Fred Nichol spent months painstakingly examining each potential juror, probing for prejudices and freely granting challenges for cause.

The Attica defenders, however, are pessimistic about the likelihood of such a lengthy examination being permitted by state Supreme Court Justice Carman F. Ball, citing numerous pre-trial rulings, he has already issued.

When asked about the prejudices claimed in the survey, prosecutor Bradley said, "What can I say about it? I don't know how it was conducted."

Bradley declined to comment on the charges of a cover-up of the state police assault on Sept. 13, 1971, but he said, "The only thing I might say is that the original grand juries are still sitting." There have been persistent rumors for several weeks that the second grand jury is considering the indictment of at least one member of the assault force.

Bradley also denied de-

fense charges that the state has spent \$9 million so far to prosecute the Attica case, saying that the current fiscal year budget for the task force is \$1 million. He said he did not know how much was previously spent because he might say is that the [original] grand juries are still sitting because the budget for the Force.

The defense was granted a \$750,000 indigents fund by the state legislature last year, but Deutsch said that so far "we haven't received a penny of it." Bradley confirmed that the money has not been given to the defense, but he said that was a decision made by the judge because the defense fund has not submitted an application in the "proper form."

Meanwhile, the defense is looking toward the attitudinal survey to prevent the trials from taking place, or, gailing that, to help the defense trial lawyers in picking the best possible jury.

The immediate value of the survey, Harringsaid, is to help draft questions to ask during the voir dire. Later, it will help the defense to spot unfavorable jurors and block their selection.



In September, 1971, New York State Corrections Commissioner Russel G. Oswald looked over

debris-strewn yard of cell block D where rebellious inmates held some 30 hostages for several

days. In all, 43 persons died in the bloody, four-day Attica prison uprising.

United Press International

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Defense Unit To Subpoena Rockefeller

Washington Post Staff Writer

BUFFALO, N.Y.—Defense lawyers for some of the 61 Attica State Prison inmates about to go on trial on charges stemming from the 1971 rebellion say they will subpoena former Gov. Nelson A. Rockefeller as a witness.

"The trials are being used to justify Rockefeller's orders to the state police to assault the prison, which led to the massacre. We definitely are going to try to subpoena him," said Michael Deutsch, a staff attorney of the Attica Brothers Legal Defense Fund.

Deutsch said the defense wants to determine why Rockefeller, as governor then, did not go to Attica at the request of the prisoners and an outside team of observers.

The Washington Post A-2
 Washington Star-News _____
 Daily News (New York) _____
 The New York Times _____
 The Wall Street Journal _____
 The National Observer _____
 The Los Angeles Times _____

Date 9/8/74

NOT RECORDED

160 SEP 11 1974

116
5-SEP 13 1974

File
6Cm



STATE OF NEW YORK
ATTICA INVESTIGATION
SUITE 911
270 BROADWAY
NEW YORK, NEW YORK 10007
212 488,4044

LOUIS J. LEFKOWITZ
ATTORNEY GENERAL

ANTHONY G. SIMONETTI
SPECIAL ASSISTANT
ATTORNEY GENERAL,
IN CHARGE

September 12, 1974

Clarence M. Kelley
Director
Federal Bureau of Investigation
9th & Pennsylvania Avenues, N.W.
Washington, D. C. 20535

*Attica Correctional
Facilities -*

Dear Director Kelley:

By letter dated October 5, 1971 which is attached, the Governor of the State of New York requested an investigation into the Attica case from the Federal government based upon its Civil Rights jurisdiction.

Would you please furnish this office your investigative report relative to this investigation.

Thank you for your cooperation.

Sincerely,

Anthony G. Simonetti
Anthony G. Simonetti
Special Assistant Attorney General
In Charge

EX-109

copy: The Honorable William B. Saxbe
Attorney General

REC-75

44-50605-1019

3 SEP 16 1974

1- ENCLOSURE

*Let ack.
9/19/74
C. M. Fong*

1-AAG, CRD

EXP. PROC.
SEP 16 1974

McDonnell

STATE OF NEW YORK
DEPARTMENT OF LAW
RECEIVED

October 5, 1971

OCT 7 1971

CRIME TASK FORCE
ALBANY, N. Y.

Dear Mr. Attorney General:

On September 28, 1971, Robert E. Fischer, Deputy Attorney General in Charge of New York State's Organized Crime Task Force wrote to the Department of Justice in regard to the question of protecting the civil rights of inmates who were at the Attica Correctional Facility during the recent disturbance.

As Judge Fischer indicated in his letter, the ~~five-member~~ panel appointed by Justice Harry Goldman of the New York State Appellate Division, Fourth Judicial Department has advised Judge Fischer of its receipt of complaints from inmates who may have actively participated in the riots at Attica to the general effect that they have been physically mistreated in violation of their rights.

Judge Fischer noted that specific complaints of ~~assaults~~ upon inmates had not been brought to his attention either by inmates or by their counsel and that he would investigate any such allegations if they were brought to his attention. He stated additionally, however, that a possible ~~conflict~~ would exist if the inmates making allegations of ~~assaults~~ committed against them were also possible defendants and the targets of the broader criminal investigation he is conducting.

In light of all the circumstances, Judge Fischer ~~was asked~~ by the Goldman panel to request the participation of the Civil Rights Division and he stated that he would welcome the Division's undertaking of whatever action was ~~deemed~~ appropriate.

44-50605-191
ENCLOSURE

-2-

In order to relieve the pressure that the potential conflict between certain inmates' rights and the criminal investigation now underway imposes on Judge Fischer and his staff and to assure public confidence in the objectivity and fairness of the entire Attica investigation, I am hereby formally requesting the Civil Rights Division of the Department of Justice to investigate claims by Attica inmates that their rights have been violated.

Thank you for your valued cooperation.

Best regards,

Sincerely,

/s/ nar

The Honorable John N. Mitchell
U. S. Department of Justice
Constitution Avenue between 9th & 10th, N. W.
Washington, D. C. 20530

EX-109

REC-75

44-50665-197

September 19, 1974

Mr. Anthony G. Simonetti
Special Assistant Attorney General
State of New York
Attica Investigation
270 Broadway, Suite 911
New York, New York 10007

1 - Mr. Moses

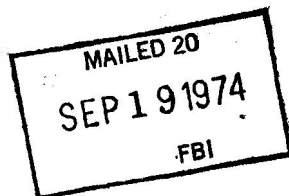
Dear Mr. Simonetti:

This will acknowledge receipt of your letter of September 12, 1974.

While I would like to be of assistance relative to your request for all FBI reports concerning this Bureau's investigation of alleged prisoner abuse during the disorders at the Attica Correctional Institution, Attica, New York, on September 13, 1971, I must refer you to the Civil Rights Division of the United States Department of Justice, Washington, D. C. 20530. The limited investigation conducted by the FBI in the Attica matter was at the specific request of the Assistant Attorney General, Civil Rights Division, United States Department of Justice, who received copies of all FBI reports. Any determination to make those reports available to your office must be made by the United States Department of Justice.

If you feel this Bureau can be of assistance to your office in other matters of mutual interest, please do not hesitate to contact us.

Sincerely yours,



C. M. Kelley
Clarence M. Kelley
Director

1 - Assistant Attorney General
Civil Rights Division

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Director Sec'y _____

CEM: pmg

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MAIL ROOM ☐

TELETYPE UNIT ☐

SEE NOTE PAGE TWO

Mr. Anthony G. Simonetti

NOTE: On 9/4/74, an individual identifying himself as Ned Perry, Assistant Attorney General, State of New York, advised he had forwarded separate letters to the Director and the Attorney General making this request. It was suggested he contact the Civil Rights Division of the Department.

The prison riot at Attica Correctional Institution in September, 1971, resulted in the death of nine hostages and 28 inmates. The Bureau conducted a limited investigation at request of Civil Rights Division who received request from Former New York Governor Nelson A. Rockefeller for assistance. See case captioned "Unknown Subjects; Correctional Officers, Attica Correctional Facilities, Attica (Wyoming County), New York - Unknown Victims; Summary Punishment; Civil Rights."

By letter dated 9/12/74, Mr. Simonetti requested this Bureau make available all FBI reports concerning Civil Rights investigation conducted by the Bureau following disorders at the Attica Correctional Institution, September, 1971.

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By GENE TOURNOUR.

NEW YORK, Sept. 5 — A series of activities, both in court and out, were outlined yesterday to bolster the defense of 61 Attica defendants whose trials begin Sept. 9.

Judge Carmen Ball in Buffalo, N.Y., yesterday set the opening date after denying defense motions for a 90 day postponement. The trials will begin with defendant Verno Lafranque on Sept. 9, and others will follow in a few days.

Spokespersons for the 61, who face charges in connection with the Attica prison revolt of 1971, held a press conference today in New York to announce the trial dates and the defense campaign.

It was announced today that the National Alliance Against Racism and Repression would conduct the public education functions connected with the Attica defense.

Memorial on Sept. 13

First among the activities scheduled to publicize the case and bring increased public demand for dismissal of the charges will be a memorial mass meeting in New York City on Friday, Sept. 13.

The meeting scheduled for 7:30 p.m. at Union Theological Seminary, will have Ramsey Clark, Herbert K. Blyden, Martin Stolar and James Carroll as the featured speakers. The event will mark the third anniversary of the massacre at the state prison, ordered by Governor Nelson Rockefeller and resulting in the death of 43 men.

Among those scheduled to perform at the meeting are Archie Shepp, Sonia Sanchez, Askia Toure, El Grupo, Queen Mother Moore, Melvin Van Peebles and Rev. Frederick Kirkpatrick.

Buffalo rally, Sept. 14

On SATURDAY, Sept. 14 a rally will be held in Buffalo at noon in front of the Erie County Courthouse. Speakers there will include Angela Davis, William Kunstler, Haywood Burns and Brother Big Black, national director of the Attica Brothers Legal Defense.

At today's press conference attorney Martin Stolar, chief counselor for the Attica Brothers Legal Defense which has been formed by the 61 defendants, said that defense attorneys had argued before Judge Ball that the prosecution

had failed to supply information on the identity of potential witnesses which the court had ordered.

While denying their overall motion for a 90 day postponement Judge Ball agreed to hear applications from individual defendants for delays in their trials ranging from one week to two months.

Challenge to jury, also

Another defense motion to dismiss all the indictments on the basis of prejudicial attitudes by prospective jurors in Erie County, the current trial site, has not yet been decided by the court.

The defendants were indicted early in 1973 by a Special Grand Jury in New York's Warsaw County where Attica Prison is located. The trials were moved to Buffalo after the New York Supreme Court ruled that bias in Warsaw County was too great to provide a fair and impartial trial.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 5-3-83 BY SP2A/ici

44-50605-A-

NOT RECORDED
 165 (100-41974 New York)

The Washington Post
 Washington Star-News
 The New York Times
 The Wall Street Journal
 The National Observer

The Los Angeles Times
 DAILY WORLD Pg. 3

Date 9/6/74

Records
 cc - 100-439922 (Davis)

cc - 100-439922 (Davis)

One copy sent to each
 BU (AA) & SF (info)
 w/ 8/31/74 article to
 su LHM re Davis.

LJB/vmb 9/12/74

2
 SEP 10 1974

159-30240-A
 100-439922-A
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Attica Correctional Facility

OCT 1 1974



STATE OF NEW YORK
ATTICA INVESTIGATION
SUITE 911
270 BROADWAY
NEW YORK, NEW YORK 10007
212.488.4044

LOUIS J. LEFKOWITZ
ATTORNEY GENERAL

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Director Sec'y _____

ANTHONY G. SIMONETTI
SPECIAL ASSISTANT ATTORNEY GENERAL
IN CHARGE

September 25, 1974

Attica Correctional Facility

Mr. Clarence M. Kelley
Director
United States Department
of Justice
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Kelley:

We appreciate the Bureau's position regarding the Attica Investigation, and have contacted the Department of Justice concerning those reports.

Very truly yours,

Anthony G. Simonetti

Anthony G. Simonetti
Special Assistant Attorney
General, In Charge

AGS/mb

REC-67

44-50605-198

OCT 1 1974

EX 104

116
5 OCT 04 1974

LEGAL COUNSEL

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NOV 15 1974

TELETYPE

NR006 BU PLAIN

7:18PM NITEL NOV. 15, 1974 DMB

TO DIRECTOR, FBI (44-50605)

(ATTN: LEGAL COUNSEL)

FROM BUFFALO (44-592) (P) 2P

CHARLES R. MILLER, ETC. ET AL, CR (OO: BUFFALO)

RE BUFFALO AIRTEL TO BUREAU, MAY 23, 1974.

ON NOV. 15, 1974, LETTER RECEIVED FROM SPECIAL NEW YORK

ASST. ATTORNEY GENERAL JAMES W. GRABLE WHO ADVISED THAT HE

IS ASSIGNED TO PROSECUTE A HOMICIDE CASE ON

SUPREME COURT ENTITLED

RESULTING FROM THE ALLEGED MURDER OF

NY STATE CORRECTIONAL OFFICER ATTICA

CORRECTIONAL FACILITY (ACF) ON SEPT. 9, 1971. GRABLE LISTED

12 PERSONS WHO HE INDICATED WOULD TESTIFY IN THIS MATTER AND

REQUESTED THAT HE BE FURNISHED WITH COPIES OF ANY INTERVIEWS

CONDUCTED WITH REGARD TO THESE PERSONS BY SAS OF THE FBI.

REVIEW OF CAPTIONED BUFFALO FILE DISCLOSED NO INTERVIEWS
OF THESE PERSONS CONDUCTED INCLUDING EXCEPT

AND CONTAINED ON PAGE 41 OF BUFFALO REPORT OF SA THOMAS M.
SHAUGHNESSY, DATED DEC. 21, 1971, CAPTIONED "UNSUBS, CORRECTION-
AL OFFICERS, ATTICA CORRECTIONAL FACILITY, ATTICA (WYOMING)
END PAGE ONE

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Director Sec'y _____

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b7c

NOV 22 1974

F372

PAGE TWO

COUNTY), NEW YORK; UNKNOWN VICTIMS - INMATES OF ATTICA, SUMMARY PUNISHMENT, CR". SECOND INTERVIEW OF [REDACTED] WHICH WAS NOT SUBMITTED TO BUREAU [REDACTED]

b6
b7c

[REDACTED] ELMIRA CORRECTIONAL FACILITY, ELMIRA, NY. AT THIS TIME, [REDACTED] ADVISED THAT SINCE HE HAS BEEN ASSIGNED TO THE ELMIRA CORRECTIONAL FACILITY HE HAD SEEN "SEVERAL TIMES" THE ATTICA CORRECTIONAL OFFICER WHO HE HAD TALKED DURING HIS PREVIOUS INTERVIEW AS HAVING PUNCHED HIM IN A CELL AT ACF. [REDACTED] ADVISED THAT HE HAD BEEN UNABLE TO OBTAIN THE SHIELD NUMBER OF THIS OFFICER BECAUSE THE OFFICER ALLEGEDLY RECOGNIZES [REDACTED] AND TURNS HIS HEAD SO THAT [REDACTED] CANNOT SEE THE SHIELD.

ATTEMPTS TO NOTIFY USA, BUFFALO, OF THE ABOVE ON NOV. 15, 1974, NEGATIVE AND CAUSED BY SEVERE WEATHER CONDITIONS. USA WILL BE NOTIFIED AM, NOV. 18, 1974.

BUFFALO RECOMMENDS GRABLE BE FURNISHED WITH INTERVIEWS AS ABOVE.

END

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. McGowan *Chapman*

DATE: January 7, 1975

FROM : E. J. McDonough *McDonough*

SUBJECT:

ST plus
CIVIL RIGHTS

Assoc. Dir. _____
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Dep. AD Inv. _____
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This is being prepared in order that the attached material, composed of miscellaneous photographs and rolls of negatives of photos furnished by the New York State Police in connection with captioned matter, can be retained in the enclosure behind file in this case.

ACTION: This being forwarded to the Files and Communications Division for appropriate handling of attachment.

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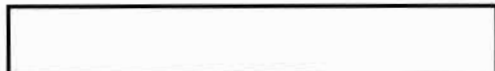
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Mr. McGowan

January 7, 1975

E. J. McDonough



CIVIL RIGHTS

This is being prepared in order that the attached material, composed of miscellaneous photographs and rolls of negatives of photos furnished by the New York State Police in connection with captioned matter, can be retained in the enclosure behind file in this case.

ACTION: This being forwarded to the Files and Communications Division for appropriate handling of attachment.

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ATTICA CORRECTION FACILITIES

Simonetti Is Ordered Into Court
In Inquiry on the Attica Defense

By TOM GOLDSTEIN

Special to The New York Times

BUFFALO, April 24—A State Supreme Court justice today ordered the chief Attica prosecutor to appear in court here next Monday in connection with an inquiry into whether the state prosecution received information concerning the Attica legal defense from the Federal Bureau of Investigation.

"There are certain areas that have surfaced that warrant further investigation," Justice Joseph S. Mattina told a nearly empty courtroom after he had examined F.B.I. documents in his chambers for more than four hours.

Justice Mattina said the special prosecutor, Anthony G. Simonetti, would appear in open court on Monday. Last week, Bernard S. Meyer was named special deputy assistant attorney general to review the conduct of Mr. Simonetti's investigation and prosecution of crimes arising from the Attica prison revolt in 1971.

Justice Mattina's order for Mr. Simonetti to testify apparently broadened the scope of a court hearing that began last Monday.

'Almost Nothing' Found

Initially, it was restricted to a determination of whether the undercover activities of an F.B.I. informant had prejudiced the case of Bernard Strobie, a former Attica inmate who is charged with killing two other inmates.

On Wednesday, Justice Mattina reviewed the reports that the informant, Mary Jo Cook, had supplied to the F.B.I. and concluded that they contained "almost nothing" relating to the strategy of the Attica legal defense team.

He refused to turn these reports over to Mr. Strobie's lawyers, but he requested that the F.B.I. supply more documents on the agency's possible involvement with the Attica defense.

It was after examining the second batch of documents—which apparently were unrelated to Miss Cook—that Justice Mattina declined to call Mr. Simonetti to testify.

2 Others Called

In court today, Justice Mattina said that most of these documents bore only a "general" relationship to the Attica legal defense. But, he said, one statement was relevant to "the issue presented to the court in this matter." He said he would decide on Monday whether that portion of the documents should be turned over to the defense lawyers.

The justice also ordered that James Grabel, an assistant Attica prosecutor, and Omar Jensen, an F.B.I. agent here, appear in court on Monday. Mr. Grabel, a former assistant United States attorney here, had been involved in the preparation of the case of John Hill, an Attica inmate who was convicted earlier this month of murdering William Quinn, a guard.

Citing the "precedent-shattering approach" of Judge John J. Sirica in Federal District Court in the Watergate investigation, Justice Mattina said he had decided to enlarge this week's adversary hearing into a "judicial inquiry."

But, he warned, "no inferences should be drawn from my remarks about anything doing by any government agency."

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The Washington Post _____

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Attica Correctional Facility

Two Charges Dropped For Four in Attica Case

By BOB BUYER

The Attica prosecutors today told Supreme Court Justice Theodore S. Kasler they are dropping kidnaping and unlawful-imprisonment charges against four defendants.

The four, Robert Dugarm, 29, of Buffalo and John Mitchell, 44, Michael Phillips, 24, and Ruiz Quintana, 28, all of New York, are charged in connection with the seizing of three correction officers and a fellow inmate in the first moments of the September 1971 uprising at Attica Correctional Facility.

Each defendant had been charged with three counts of second-degree kidnaping, three counts of first-degree unlawful imprisonment, three counts of coercion and three counts of second-degree assault.

Asst. Atty. Gen. Charles A. Bradley, prosecuting the four,

disclosed his plan to drop the two sets of charges during pre-trial arguments today.

Justice Kasler had just asked to receive a copy of the report from former Asst. Atty. Gen. Malcolm H. Bell for examination in private. The Bell report alleges prosecution misconduct for failing to indict law enforcement personnel involved in the Attica rebellion.

Daniel L. Alterman, an attorney representing Quintana, was visibly angry at the disclosure, particularly after Mr. Bradley told him that the plan to drop the charges has been known for some time.

"I find it ridiculous that 3½ years after the indictments were returned and after a lengthy Wade hearing the government suddenly decided that it is not going to prosecute the two most important charges in this indictment," Mr. Alterman said.

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Buffalo, New York

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Attica Correctional Facility

Three Jurors Are Seated In Attica Inmate's Trial

By BILL MEEKS

Three jurors were selected Tuesday in the State Supreme Court trial of former Attica Correctional Facility inmate Bernard (Shango) Stroble.

Sworn in were: Otto A. Leff, 68, of Lancaster Ave., a retired optical store owner; Mrs. Evelyn E. Schulz, 56, Town of Tonawanda, a clerical worker and Miss Barbara A. Vasile, 22, of Gold St., an office worker. All are white.

They were the first to be selected during 8 days of questioning. Sixty prospective jurors have been excused or dismissed.

The defense used six peremptory challenges Tuesday, leaving it with five of the 20 permitted by Justice Joseph S. Mattina.

THE PROSECUTION challenged three prospective jurors—leaving it with 12 challenges. Two of the three prospects dropped by the state were black. This brought a blast from the defendant.

"I want the record to indicate that the state challenges

every black juror brought in," he said.

"This makes four of them," said Ernest Goodman, one of Stroble's attorneys, referring to two previous challenges of black prospective jurors by the state.

Asst. Atty. Gen. Patrick Moynihan said he wanted the record to also indicate that one of those dismissed by the prosecution had been challenged for cause on the grounds that she was active in prison rehabilitation work and had visited Attica on occasions.

JUSTICE MATTINA cut off debate at that point.

Most of the examination of veniremen Tuesday was on their attitudes towards prisons, persons convicted of crimes and racial bias.

"Race is an issue here because I asked it to be," Stroble told the panel.

"My parents and grandparents were from the South and I'm very sensitive on the matter."

The defendant, a black, is accused of involvement in the kidnapping and murder of two white inmates during the 1971 prison rebellion.

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Hill Sentenced to 20 Years to Life

Attica Correctional Facility

Kunstler Files Appeal of Term In Attica Killing

By BOB BUYER

A 20-years-to-life prison term was imposed today on John B. Hill, 23, of Buffalo for the murder of Correction Officer William E. Quinn, the first man to die in the September 1971 uprising at the Attica Correctional Facility.

Immediately after the sentencing, William M. Kunstler, Hill's attorney, filed appeal papers.

In imposing the sentence, Supreme Court Justice Gilbert H. King said:

"William Quinn was 28 years of age. He had a life. He had a right to continue his life. No one weeps for the victim. We only hear about those that commit the crimes and their future."

"What you took from him is something no human being can return and that is the most important element of this judgment."

JUSTICE KING said that Mr. Quinn was killed "while he lay defenseless, unconsciousness and unresistant on the floor."

"You took it upon yourself to make sure that he lived no more," Justice King said.

Half of the Part II courtroom was occupied by American Indians and other friends of John Hill. While Justice King was issuing his sentence, Hill, his lawyers and his friends all stood.

After the sentencing one Indian girl cried out and wept. Others stood silently and were encouraged by Hill that they would eventually win.

Hill, who appeared in court in a red shirt and blue jeans, made a 15-minute statement. He began by saying that he stood up not in respect of the court but so that his friends and the press could better hear him.

HE CALLED the trial "the most outrageous, most sickening display of justice I have ever seen."

Hill who is part Indian charged that the case against him was a fabrication and that the prosecution had produced no facts and had served up only sensational testimony.

Neither Hill nor his co-defendant, Charles J. Parnas, 22, who was to be sentenced late today took the witness stand in his own defense.

Five witnesses testified for

the prosecution either that they saw Hill striking Mr. Quinn, or placing Hill at the scene.

Hill argued that the prosecution did not want to indict any white people or any black people. "The prosecution came down with two young native Americans," he said.

"HAVE THEY ever thought about who were the real murderers of the 43 people at Attica?" he asked. "Have they ever thought about the 14 million Indians who have been killed by the white man?" Hill said.

Hill then returned to the Attica theme. "What we were asking for at Attica was a change in the system."

Asst. Atty. Gen. Louis Aidala did not ask Justice King for any specific sentence. The minimum would have been 15 years to life. Rather he said that the sentence should be commensurate with the crime, "a crime abhorred and universally condemned by man."

MR. AIDALA, a defense attorney himself until his assignment on this case, noted that Justice King's court and the entire justice system have been under attack throughout the trial.

Mr. Kunstler in his brief address once again declared that Hill's trial was unfair, asserting that it was "before a prejudiced judge and a prejudiced court."

Mr. Kunstler decried the claims of a fair American criminal justice system as hypocrisy and declined to make a lengthy court statement because he did not choose to further legitimize the process.

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Buffalo, New York

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Kunstler Denied Bid To Quit Case

Charging that defendants in Attica-related cases cannot receive fair trials in Erie County, Attorney William M. Kunstler asked to be relieved as defense counsel in one of them in State Supreme Court on Wednesday.

"Psychologically I am not ready to take on another case," said Kunstler.

Justice Carman F. Ball denied Kunstler's request, telling the lawyer: "I want this case to be the next one to be tried by you."

Kunstler, who represented John B. Hill on a murder charge, asked to be relieved from his assignment as counsel for Mariano Gonzalez.

Charged With Murder

Gonzalez, 24, of New York City, is charged with murder in the slaying of another inmate, Michael Privitera, of Buffalo, during the Sept. 9-13, 1971, Attica prison riot.

"I feel these defendants are not receiving fair trials," said Kunstler. "There is a total denial of due process," he said, "and I feel that so strongly I psychologically to go forward."

'Feel Soiled,' He Says

"I feel dirty and soiled," he said. "I don't want to be associated with Erie County, the courts in Erie County or its jury aspects."

Kunstler later told newsmen he was not speaking against the people of Erie County, but that the city was too close to Attica. If trials were held in New York City, he said, the people there would be less likely to believe what he called "fabricated prosecution."

Justice Ball scheduled June 9 as date for a pretrial hearing in the Gonzalez case.

Attica Correctional Facility

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Buffalo, New York

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Sentencing Today In Attica Case

By GREG FANHERY

State Supreme Court Justice Gilbert E. King has adjourned until today sentencing of John B. Hill and Charles J. Parnaslice on charges stemming from the 1971 Attica prison uprising.

Hill, 23, of 7th St., Buffalo, is scheduled to be sentenced at 10 this morning on a charge of murder; Parnaslice, 22, of Camillus, will hear sentence passed at 2 this afternoon on a charge of attempted second-degree assault.

The two men were scheduled for sentencing Wednesday but postponement was caused by lengthy defense arguments on motions to set aside the verdict.

Convicted April 5

A jury convicted Hill and Parnaslice April 5 on the charges which alleged they assaulted Correction Officer William E. Quinn. Beaten during the early moments of the Sept. 9-13 rebellion, Quinn died two days later.

The major issue in Wednesday's arguments centered around allegations that four jurors in the Hill-Parnaslice trial expressed opinions before their selection that "they would like to convict both defendants."

Atty. William M. Kunstler, counsel for Hill, called to the stand Brad Casey, WGR reporter, who allegedly heard the remark made by a deputy sheriff in a Kenmore Ave. tavern.

Newsman Testifies

Attorney F. James Kane, appearing for WGR, asked the court to quash the subpoena directing Casey to testify, arguing he was protected from giving any testimony as a "news-gatherer" under the state's Civil Rights Law.

Justice King declined to do so and Casey took the stand but declined to divulge the name of the deputy he spoke with.

"What was told you by this unidentified deputy?" asked Kunstler.

"He told me that he thought four jurors, who wanted a conviction, had gotten by and got on the jury," Casey replied.

Justice King declared a lunch-recess, taking under advisement the "newsman's privilege" issue. Any decision that Casey be obliged to disclose the deputy's identity was later resolved, however, when the deputy was identified by William J. Diggins, assistant county attorney.

Diggins then produced Deputy Harold T. Bennett who, assigned to the Hill-Parnaslice case for most of the trial, was then questioned by Kunstler.

Opinion Given

Bennett conceded he had a conversation with Casey around March 17 but denied he ever told the reporter that four jurors had prejudged the case.

The deputy said that based on his observations of the jury selection he was of the opinion that four or five of them would "go for conviction."

Citing what he called "conflicts" in the testimony between Casey and Bennett, Kunstler asked that the jurors in the case be brought to court for questioning.

Justice King denied the request.

Meanwhile, three more jurors were selected in the kidnapping trial of Bernard "Shangot" Stroble, 25, accused in the deaths of two fellow inmates during the riot.

Six Sentenced

The jurors, bringing to six the number of jurors selected, are: Miss Priscilla J. Weathers of Boston, a bank teller; Mrs. Margaret A. Struzik of Amherst, a housewife, and Mark Waldmiller of Orchard Park, an unemployed salesman.

In yet another courtroom, the prosecution announced it was dropping kidnapping and unlawful imprisonment charges against four former inmates who were accused of kidnapping three prison guards.

Only assault and coercion charges now remain against Robert Dugan, 20, of Buffalo, and John Mitchell, 44, Michael Phillips, 24, and Ruiz Quintana, 24, all of New York City.

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Buffalo, New York

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Attica Correctional Facility

Lawyer Asks Dismissal of Attica Case

By BOB BUYER

A lawyer for Michael Phillips, defendant in an Attica Correctional Facility riot case, Wednesday argued that it would be in the public interest for Supreme Court Justice Theodore S. Kasler to dismiss the charges against her client.

Miss Margaret Burnham of Boston, appearing for Phillips, 24, of New York, cited the cost of the prosecution investigation, the lack of evidence and the passage of time in her request.

Phillips and three others are charged with three counts each of second degree kidnaping, first degree coercion, unlawful imprisonment and assault in the Sept. 9, 1971, seizing of Correction Officers Franklin Wald, Richard Delany and Gerald Reger. They had taken refuge in the prison's C Block office.

Asst. Atty. Gen. Charles A. Bradley surprised the court and the defendants when he announced the state had decided to drop the kidnaping and unlawful imprisonment charges against the four former inmates.

Mr. Bradley cited the lack of evidence and said that while he announced the dropping of charges Wednesday, the decision had been made earlier for "lack of evidence."

MISS BURNHAM excoriated Mr. Bradley's cost to taxpayers as a waste of money. And she attacked his assertion that there is no evidence of selective prosecution.

Praising former Asst. Atty. Gen. Malcolm H. Bell as a "man of stature," Miss Burnham said there are documents showing selective prosecution that never reached the Wyoming County grand jury.

Mr. Bell has charged that he was prevented from investigating crimes by law enforcement personnel. His charges are now being investigated.

Miss Burnham's arguments were delivered as she and attorneys for three other defendants, Robert Dugarm, 29, of Buffalo, and John Mitchell, 44, and Ruiz Quintana, 28, both of New York, offered their dismissal motions before the jury selection begins.

The Wade hearings testing the legality of the eyewitness identifications were completed last month.

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Buffalo, New York

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Three More Are Seated on Stroble Jury

By BILL MEERKS

Three more jurors were seated Wednesday in the State Supreme Court trial of former Attica Correctional Facility inmate Bernard (Shango) Stroble, 35, of Detroit. Six jurors have been selected.

Accepted for service were: Mark J. Waldmiller, 24, of Orchard Park, and unemployed salesman; Mrs. Margaret A. Struzik, 33, of Snyder, a housewife and Miss Priscilla J. Weathers, 23, of Boston, a bank teller.

Four women and two men, all white, have been chosen for the trial that is expected to last 6 to 8 weeks.

The prosecution Wednesday dismissed four prospective jurors on peremptory challenges. It has used 12 of its 20 challenges. The defense struck two prospects and has used 17 peremptory challenges.

Justice Joseph S. Mattina, with consent of both sides, excused another prospective juror because he knew Michael Privitera, an inmate killed during the Attica uprising.

Stroble, acting as his own lawyer on one of the indictments against him, again accused the prosecution of "racism" when it challenged a black venireman.

Justice Mattina permitted the remark to remain on the record but questioned other seated and prospective jurors if the defendant's remarks would affect their judgments. All said they would not.

Stroble, a black, is on trial on two charges of kidnaping and felony murder of fellow inmates Barry Schwartz and Kenneth Hess, both white, and a third indictment of the actual killing of Schwartz.

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Attica Correctional Facility

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Court Orders Kunstler To Stay on Attica Case

By BOB BUYER

Despite an emotional argument that he is psychologically unprepared to conduct another murder trial defense here, William M. Kunstler Wednesday was ordered to remain as the assigned counsel for Mariano (Dalou) Gonzalez.

Mr. Kunstler requested the court assignment with Mrs. Barbara Handschu as Gonzalez's attorney shortly after the latter's 1972 indictment for the killing of Michael (Crazy Mickey) Prigitiera.

The killing occurred during the September 1971 violence at Attica Correctional Facility where both were inmates.

State Supreme Court Justice Carman F. Ball set June 8 as the date of the next calendar call for the trial and instructed Mr. Kunstler not to undertake any other assignments. He said that he wants the Gonzalez trial to start as soon as the Hill-Per-nasillie proceedings are over.

MR. KUNSTLER appeared Wednesday before Justice Ball

during a break in the Hill-Per-nasillie proceedings.

He asked Justice Ball to excuse him from the Gonzalez case because he is psychologically not prepared to take another murder case in Buffalo.

"I do not want my presence to legitimize an unfair process," Mr. Kunstler argued, saying that all the Attica cases are unfair and a "total denial of due process."

"I want the public to know that these cases are unfair."

"I FEEL dirty and soiled in the process, Your Honor. And I think that feeling is so strong with me that I have to put it in the record that I don't want to be associated with Erie County,

with the courts in Erie County, with the jury system in Erie County or any other aspects of it."

Calling the Attica proceedings a "lynching," Mr. Kunstler added:

"I think that my feeling is very strong, judge, and I have never expressed it anywhere else except here."

Justice Ball remarked that Mr. Kunstler had requested the assignment a long time ago and that at this point he would not relieve Mr. Kunstler of the assignment.

Mrs. Handschu, who so far has carried the burden of the defense preparation, is ill in Buffalo General Hospital and is not expected to return until June, Mr. Kunstler said.

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Hill Gets Up to Life, Pernasilice 3 Yrs.

By GREG FAHERTY

Charles J. Pernasilice, 22, was sentenced to a term of up to three years in prison in State Supreme Court here late Thursday, after his codefendant, John B. Hill, 23, of Buffalo, drew a term of 20 years to life for the murder of a guard during the 1971 Attica prison rebellion.

Pernasilice, of Camillus, a Syracuse suburb, convicted of attempted second-degree assault in the case, was continued in \$10,000 surety bail by Justice Gilbert H. King, pending appeal to the Appellate Div. ~~of appeal were filed~~

by both former U.S. Atty. Gen. Ramsey Clark, on behalf of Pernasilice, and by William M. Kunstler, attorney for Hill.

Justice King first sentenced Pernasilice to a term of up to two years, then had the defendant returned to the courtroom for resentencing after determining provisions of the state Penal Law mandate a minimum term of up to three years on the charge.

A jury convicted the two men on April 5 in connection with an assault on Correction Officer William E. Quinn on Sept. 9, 1971, the first day of the four-day prison uprising. Quinn died of his injuries two days later in a Rochester hospital, the first of 43 men to die in the rebellion.

In pre-sentence remarks, Clark urged the court to put Pernasilice on probation, stating Pernasilice had no history of violence that would require confinement.

The judge told Pernasilice, who could have received up to four years, that his record showed a continuous disregard for the law.

"To me that means, until you change that attitude, you are headed for more difficulty," said Justice King. "It is my earnest hope that your attitude will change."

Pernasilice declined an offer to speak before sentencing, while Hill seized the opportunity to decry his trial as "the most outrageous and sickening display of justice I've seen in my life."

"What were we asking for in Attica?" said Hill. "We were asking for a change in the system."

"I would like my last words in this courtroom to be that the

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(Indicate page, name of newspaper, city and state.)

COURIER EXPRESS
Buffalo, New York

Date: 5/9/75
Edition: Four Star
Author: _____
Editor: _____
Title: INDICTMENT OF
ATTICA PRISONERS
Character: CIVIL UNREST
or
Classification: 157-1711
Submitting Office Buffalo
☒ Being Investigated

44-50605-A

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Attica Correctional
Facility

real criminals and murderers are not on trial," declared Kunstler. "We all know who murdered 43 people," he said.

"If we are going to have any fairness in our system of justice, then it has to be a system of fair and equal justice," said Kunstler in an obvious reference to his complaint that no law enforcement officers have been indicted.

Asst. State Atty. Gen. Louis Aidala, who prosecuted the Hill-Pernasillice trial, defended America's system of justice as "still the best in the world."

No Recommendation

The prosecutor said he was making no recommendation ~~rescuing~~ Hill's sentence, only

that it be commensurate with the crime of murder which, he said, "has been universally condemned since Cain slew Abel."

Asst. Atty Gen. James W. Grable also made no recommendation in the Pernasillice sentence.

King ordered that Hill be committed to Green Haven Correctional Facility after recommending earlier that the defendant not be confined to Attica.

In sentencing Hill, King called Quinn's death "completely unjust."

"What you took from him was irretrievable," said the judge. "While he lay defenseless and unconscious, you took it on yourself that he live no more."

FBI

COMMUNICATIONS SECTION
PLAINTEXT

7/15/75

Transmit the following in

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TELETYPE (Priority)

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TO: DIRECTOR (44-50605)

FROM: SAC, BUFFALO (44-592)

CR, OO: BUFFALO.

RE BUFFALO TELCAL TO BUREAU, JULY 15, 1975.

ON JULY 15, 1975, ASAC JOHN F. SHANLEY, BUFFALO, RECEIVED TELEPHONE INQUIRY FROM [REDACTED] WHEN, A LOCAL RADIO STATION, WHO INDICATED AT 2:30 PM, [REDACTED] ATTICA BROTHERS OFFENSE DEFENSE, HELD A PRESS CONFERENCE AT WHICH HE PRODUCED ONE [REDACTED] WHO ALLEGED HE WAS FORMER ATTICA CORRECTIONAL FACILITY (ACF) INMATE DURING SEPTEMBER, 1971 RIOT AT ACF AND PRESENT DURING RETAKING BY NEW YORK STATE AUTHORITIES.

[REDACTED] ALLEGED THAT HE TOLD THE FBI HE SAW A NEW YORK STATE TROOPER MURDER AN INMATE DURING THE RETAKING AND THAT NO FURTHER ACTION HAD BEEN TAKEN. REVIEW, BUFFALO FILE, DISCLOSES INTERVIEW OF [REDACTED] ON OCTOBER 20, 1971, AS CONTAINED IN BUFFALO REPORT OF SA THOMAS M. SHAUGHNESSY, DATED OCTOBER 27, 1971, PG. 28. AFTER CONSULTATION WITH THE EXTERNAL AFFAIRS DIVISION AND GENERAL INVESTIGATIVE DIVISION, [REDACTED] WAS RECONTACTED

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b7C

JUL 30 1975

FBI

Date:

Transmit the following in _____

(Type in plaintext or code)

in _____

(Priority)

BU 44-592

PAGE TWO

AND WAS ADVISED THAT [REDACTED] WAS INTERVIEWED ON OCTOBER 20, 1971

AND THAT THE RESULTS OF THIS INTERVIEW WERE FORWARDED TO BUREAU HEADQUARTERS WHO, IN TURN, FORWARDED THIS TO CIVIL RIGHTS DIVISION, U.S. DEPARTMENT OF JUSTICE. [REDACTED] WAS FURTHER ADVISED THAT ANY FURTHER INQUIRIES SHOULD BE DIRECTED TO THAT DIVISION OF THE DEPARTMENT.

OACB, BUFFALO WILL HANDLE ANY FURTHER PRESS INQUIRIES RE THIS MATTER IN THE ABOVE MANNER.

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UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-50605)

FROM : SAC, BUFFALO (44-592) (RUC)

DATE: 9/30/75

SUBJECT: UNSUBS, Correctional Officers,
Attica Correctional Facility,
Attica (Wyoming County), New York;
UNKNOWN VICTIMS - Inmates
of Attica
SUMMARY PUNISHMENT; CIVIL RIGHTS

Re Buffalo airtel to Bureau, 3/24/72; Bureau airtel to Buffalo, 3/29/72; report of SA CARL E. UNDERHILL, 4/17/72, at Buffalo.

Enclosed for the Bureau is a copy of a newspaper article entitled "Guardman Tells of Word Not to Reveal Attica Scene", appearing in the "Buffalo Evening News", a daily newspaper at Buffalo, New York on 9/25/75.

This article concerns in part the testimony of JAMES O'DAY in a preliminary hearing to the kidnap murder trial of ERIC (JOMO) THOMPSON, accused of killing two inmates during the 1971 riot.

In part the article states as follows:

"A former National Guardsman testified Wednesday that his battalion and company commanders advised troops not to discuss or volunteer any information about the 'funky things' they saw Sept. 13, 1971 while on duty inside Attica Correctional Facility after troopers crushed the inmate uprising.

"A second guardsman testified that he informed the FBI in Buffalo about the brutalities he witnessed on the advice of the late Federal Judge John O. Henderson.

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BU 44-592

"But James O'Day, 28, of Snyder, now a biology teacher at Sweet Home Central School, said that two FBI agents didn't appear interested."

For the information of the Bureau, referenced Buffalo 3/24/72 airtel enclosed for the Bureau an LHM in regards to the interview with JAMES B. O'DAY on 3/23/72. A copy of this LHM was furnished to Acting USA of Buffalo, New York on 3/24/72. Referenced report was submitted in connection with the follow-up investigation regarding the information supplied by O'DAY.

It is noted Mr. O'DAY advised on 3/23/72 that he was aware that the information was not worth much in the absence of any ability to identify the prisoner or the guard but he nevertheless wanted to go on record with the information. Further, that on 4/17/72 O'DAY commented that he realized that in the absence of ability to identify anyone, the information was valueless. A copy of the FD-302 interviews with JAMES B. O'DAY on 3/23/72 and 4/17/72 are being enclosed herewith for the Bureau's information.

The above is being furnished for the information of the Bureau and no further action is contemplated by Buffalo in this matter.

(Mount Clipping in Space Below)

Guardsmen Tells of Word Not to Reveal Attica Scene

By BOE BUYER

A former National Guardsman testified Wednesday that his battalion and company commanders advised troops not to discuss or volunteer any information about the "funky things" they saw Sept. 13, 1971 while on duty inside Attica Correctional Facility after troopers crushed the inmate uprising.

A second guardsman testified that he informed the FBI in Buffalo about the brutalities he witnessed on the advice of the late Federal Judge John O. Henderson.

But James O'Day, 28, of Snyder, now a biology teacher at Sweet Home Central School, said that two FBI agents didn't appear interested.

Supreme Court Justice Ann T. Mikoll, who is conducting the hearing to determine if state authorities practiced selective enforcement, asked Mr. O'Day if anything was said about a follow-up.

"No, I thought I had done my duty by telling them what I knew," Mr. O'Day said.

HE WAS the fifth witness in the preliminary hearing to the kidnap murder trial of Eric (Jomo) Thompson, 33, accused of killing two inmates during the 1971 riot.

Thompson's lawyers are asking for a dismissal of the charges against him on grounds that state prosecutors failed to investigate and prosecute criminal acts by law enforcement personnel.

Mr. O'Day said that he and guardsman Mark Emminger were carrying a black inmate on a stretcher because he had been wounded in the legs, arms and "rear end." He described him as a short man with green

hunting jacket ordered them to put the wounded inmate down.

THEN MR. O'Day testified, the man lifted the inmate's head and dumped him on the floor. "He shouted at the inmate to stand and when he didn't, the man took a screwdriver from his pocket and stabbed him in the rectal area five to seven times," Mr. O'Day said.

Several times during his testimony, Mr. O'Day emotionally had to pause to regain his composure.

He told of another inmate whose head appeared nearly split in two by "a hole the size of a quarter" who was left untended despite medical advice that he was among the most seriously injured.

Mr. O'Day said that he relayed these and other incidents that he saw to his company officers with apparent little effect. Ultimately, he said, he was questioned by the McKay Commission and by other state investigators.

HOWEVER, Mr. O'Day said he was unable to identify any of the assailants. The best he could do was pick out pictures of five persons possibly involved.

Earlier, R. Kevin Burke, a Family Court employee and the

son of Joseph Burke, administrative officer of the Erie County district attorney's office, completed testimony started on Tuesday.

He said Lt. Col. Guy Annunzio as the battalion commander and Capt. Gary Wendt of the New York National Guard were the officers who recommended troops refrain from discussing what they seen inside Attica's walls.

"IT WASN'T an order, but most people followed the advice," he said.

Mr. Burke's testimony and that of Mr. O'Day produced one of the more emotional of the many Attica related court days. Some court spectators wept during part of the testimony.

Mr. Burke testified that he saw four black inmates die from complications arising from shock after blankets continually were pulled from their otherwise naked bodies on a chill, damp day.

He also said he saw Dr. Paul E. Sternberg, one of two regular prison physicians "kicking and pummeling inmates lying on the ground."

"I saw Dr. Sternberg kick one inmate in the stomach area and say, 'You're not hurt. We'll see how hurt you are,'" Mr. Burke testified.

44-50605-202

ENCLOSURE

HE ALSO related seeing one inmate resist being carried by means of clubs placed under his arms. "Two correction officers then picked him up and threw him to the ground and give him several good kicks. Dr. Sternberg was right there," he said.

Mr. Burke said that Maj. John Cudmore, a medical officer, told the correction officer to stop.

"When Dr. Cudmore moved away, a correction officer hit the inmate again, saying 'this is for Cudmore,'" the witness said.

He told of correction officers objecting to the National Guard activities of gathering up and assisting the wounded inmates. "Why are you treating these — niggers," one said. "They started this thing."

The hearing resumed today with two former inmates scheduled to testify. Former Asst. Atty. Gen. Malcolm H. Bell, who has charged that he was prevented from investigating crimes of law enforcement personnel, is under subpoena and will testify next week, Mr. Doyle said.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/24/72

New York

[redacted] advised that he was a member of the New York State National Guard and was assigned to a hospital unit. His unit had been utilized at the Attica Correctional Facility following the retaking of the prison after the inmates had rioted. [redacted] advised that the hospital area was a shambles in that it was overcrowded and it had been necessary to put the wounded in the corridors and in every spare area. The doctors had been trying to treat the most severely wounded first but this was not possible in all of the confusion. He said that one of the doctors had told him to get blankets and cover up some of the wounded who were lying on the stretchers and that the guards had made comments to him as he was following these instructions. He said he realized that emotions were running high on that date.

[redacted] said that he could not pinpoint the time but it was in mid-afternoon on September 13, 1971 and he had been told along with other Guardsmen to take two prisoners to the C Block area from the yard. It was his recollection that they went into the B Block building and then came down the tunnel leading to what was called Times Square in the center of the yard. They started down towards another block but were stopped and realized they were going the wrong way. They had been headed for D Block and were just going in the exact opposite direction they should have been going in order to take their prisoners to the C Block area. He said that as they came back through the Times Square area there were several guards present and one individual who apparently was a guard but was not in a prison guard uniform. This man told the National Guardsmen to put the prisoner down. He asked what was the matter with the prisoner who [redacted] had been assisting in carrying and [redacted] said that he had apparently been shot in the leg. He said there was no blood showing but puncture wounds were visible and each was ringed by a dark circle.

Interviewed on 3/23/72 at Buffalo, New York File # Buffalo 44-592
by SAs CARL E. UNDERHILL and
[redacted] CEU:sal Date dictated 3/24/72

BU 44-592

This same guard said that he did not believe it and told him to tip over the stretcher. [] did not do it and this prison guard then picked up the stretcher at one end and as he raised it, the Negro male prisoner just sort of slid off the stretcher and fell to the concrete floor. The guard told him to move and go down the walk-way from Times Square towards C Block. The prisoner just laid there on the floor and the guard took out what [] observed to be a Phillips Head screwdriver. He said that this prisoner was lying on his back with his knees up in the air and the guard reached down and in the general area of the rectum poked this man four or five times and told him to get moving.

When queried if the screwdriver penetrated the anus, [] advised that he could not tell but that the man was just poked in the general area and it could well have been that he was jabbed in the buttocks. [] said that he did not see any blood. He said the other National Guardsmen observed this as did some of the prison guards who were present.

[] advised that in discussing the matter later with the Guardsmen, all were of the opinion that they could not identify either the prisoner or the guard who had possessed the screwdriver. [] advised that after this incident had occurred, he had furnished information concerning same to the New York State Police. He was not aware of what follow-up investigation the State Police had taken concerning the information. [] advised that he was aware that the information was not worth much in the absence of any ability to identify the prisoner or the guard but that he nevertheless had wanted to go on record with the information.

[] suffers no physical impairment which would negate his ability to observe and recall factual occurrences.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/17/72

After numerous unsuccessful attempts to locate [redacted] he was telephonically contacted at his residence. [redacted] advised that he was unable to recall any additional information concerning the incident that he had recited when interviewed on March 23, 1972. [redacted] was queried as to one point concerning the inmate whom he had alleged was mistreated. [redacted] was asked what happened to this inmate after the alleged jabbing with the screwdriver. [redacted] stated that he did not really know or could not recall. He stated that he knew that the inmate was not carried any further, and he did not now recall whether the prisoner walked to the cell block or how he got to the cell block; but he can now remember that both the inmate and the man who had the screwdriver had disappeared into the cell block area.

[redacted] commented that he realized that in the absence of ability to identify anyone, the information was valueless.

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Interviewed on 4/17/72 at Buffalo, New York File # Buffalo 44-592 -
by SA CARL E. UNDERHILL pas Date dictated 4/17/72

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